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SENATE BILL 6249

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State of Washington

61st Legislature

2010 Regular Session

By Senators Franklin, Kauffman, McAuliffe, McDermott, Regala, Keiser, Kilmer, Hatfield, Fraser, Shin, Kohl-Welles, and Kline

Read first time 01/11/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to kids at hope; amending RCW 28A.150.305,  
2 28A.150.315, 28A.150.315, 28A.170.075, 28A.170.090, 28A.175.025,  
3 28A.175.065, 28A.175.075, 28A.225.035, 13.32A.010, 13.32A.015,  
4 13.32A.030, 13.32A.040, 13.32A.042, 13.32A.044, 13.32A.120, 13.32A.130,  
5 13.32A.140, 13.32A.150, 13.32A.152, 13.32A.160, 13.32A.170, 13.32A.179,  
6 13.32A.190, 13.32A.191, 13.32A.192, 13.32A.194, 13.32A.196, 13.32A.197,  
7 13.32A.198, 13.32A.200, 13.32A.205, 13.32A.250, 13.40.460, 28A.225.160,  
8 28A.235.140, 28A.235.160, 28A.245.040, 28A.245.070, 28A.300.360,  
9 28A.300.440, 28A.305.130, 28A.325.010, 28A.400.350, 28A.655.090,  
10 28A.700.005, 28A.700.090, 43.310.005, and 43.310.010; amending 2007 c  
11 408 s 1 (uncodified); reenacting and amending RCW 13.32A.060; adding a  
12 new section to chapter 28A.170 RCW; adding a new section to chapter  
13 28A.175 RCW; adding a new section to chapter 28A.245 RCW; creating new  
14 sections; providing an effective date; and providing an expiration  
15 date.

16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

17 NEW SECTION. **Sec. 1.** Every child is unique--each has different  
18 interests, talents, skills, personalities, and each comes from a home  
19 with different cultures, socio-economic levels, and education levels.

1 The legislature finds that too often children are labeled in a negative  
2 context because of these differences. Such negative labels can be  
3 devastating to children by making them feel defeated and helpless about  
4 what the negative label says about them. The use of negative labels  
5 creates a self-fulfilling prophecy that many adults unconsciously  
6 adopt. The legislature further finds that it needs to redesign the  
7 negative labels, especially those labels that the state uses for  
8 children. The legislature finds that instead of the negative labels  
9 such as "at-risk," "in-poverty," "from-poverty," and "disadvantaged,"  
10 a positive characterization should be used. Using a positive  
11 descriptor will help children to see themselves differently and help  
12 adults more accurately define a child's capacity. If the state is  
13 going to label these children then the state must label to enable the  
14 children to have hope.

15 **Sec. 2.** RCW 28A.150.305 and 2002 c 291 s 1 are each amended to  
16 read as follows:

17 (1) The board of directors of school districts may contract with  
18 alternative educational service providers for eligible students.  
19 Alternative educational service providers that the school district may  
20 contract with include, but are not limited to:

- 21 (a) Other schools;
- 22 (b) Alternative education programs not operated by the school  
23 district;
- 24 (c) Education centers;
- 25 (d) Skills centers;
- 26 (e) The Washington national guard youth challenge program;
- 27 (f) Dropout prevention programs; or
- 28 (g) Other public or private organizations, excluding sectarian or  
29 religious organizations.

30 (2) Eligible students include (~~students~~) kids at hope who are  
31 likely to be expelled or who are enrolled in the school district but  
32 have been suspended, are academically at risk, or who have been subject  
33 to repeated disciplinary actions due to behavioral problems.

34 (3) If a school district board of directors chooses to initiate  
35 specialized programs for (~~students~~) kids at hope at risk of expulsion  
36 or who are failing academically by contracting out with alternative  
37 educational service providers identified in subsection (1) of this

1 section, the school district board of directors and the organization  
2 must specify the specific learning standards that students are expected  
3 to achieve. Placement of the (~~student~~) kids at hope shall be jointly  
4 determined by the school district, the student's parent or legal  
5 guardian, and the alternative educational service provider.

6 (4) For the purpose of this section, the superintendent of public  
7 instruction shall adopt rules for reporting and documenting enrollment.  
8 (~~Students~~) Kids at hope may reenter at the grade level appropriate to  
9 the student's ability. Students who are sixteen years of age or older  
10 may take the GED test.

11 (5) The board of directors of school districts may require that  
12 (~~students~~) kids at hope who would otherwise be suspended or expelled  
13 attend schools or programs listed in subsection (1) of this section as  
14 a condition of continued enrollment in the school district.

15 **Sec. 3.** RCW 28A.150.315 and 2007 c 400 s 2 are each amended to  
16 read as follows:

17 (1) Beginning with the 2007-08 school year, funding for voluntary  
18 all-day kindergarten programs shall be phased-in beginning with schools  
19 with the highest (~~poverty levels,~~) numbers of kids at hope, which for  
20 the purpose of this section shall be defined as those schools with the  
21 highest percentages of students qualifying for free and reduced-price  
22 lunch support in the prior school year. Once a school receives funding  
23 for the all-day kindergarten program, that school shall remain eligible  
24 for funding in subsequent school years regardless of changes in the  
25 school's percentage of (~~students eligible for free and reduced-price~~  
26 ~~lunches~~) kids at hope as long as other program requirements are  
27 fulfilled. Additionally, schools receiving all-day kindergarten  
28 program support shall agree to the following conditions:

29 (a) Provide at least a one thousand-hour instructional program;

30 (b) Provide a curriculum that offers a rich, varied set of  
31 experiences that assist students in:

32 (i) Developing initial skills in the academic areas of reading,  
33 mathematics, and writing;

34 (ii) Developing a variety of communication skills;

35 (iii) Providing experiences in science, social studies, arts,  
36 health and physical education, and a world language other than English;

37 (iv) Acquiring large and small motor skills;

1 (v) Acquiring social and emotional skills including successful  
2 participation in learning activities as an individual and as part of a  
3 group; and

4 (vi) Learning through hands-on experiences;

5 (c) Establish learning environments that are developmentally  
6 appropriate and promote creativity;

7 (d) Demonstrate strong connections and communication with early  
8 learning community providers; and

9 (e) Participate in kindergarten program readiness activities with  
10 early learning providers and parents.

11 (2) Subject to funds appropriated for this purpose, the  
12 superintendent of public instruction shall designate one or more school  
13 districts to serve as resources and examples of best practices in  
14 designing and operating a high-quality all-day kindergarten program.  
15 Designated school districts shall serve as lighthouse programs and  
16 provide technical assistance to other school districts in the initial  
17 stages of implementing an all-day kindergarten program. Examples of  
18 topics addressed by the technical assistance include strategic  
19 planning, developing the instructional program and curriculum, working  
20 with early learning providers to identify students and communicate with  
21 parents, and developing kindergarten program readiness activities.

22 (3) Any funds allocated to support all-day kindergarten programs  
23 under this section shall not be considered as basic education funding.

24 **Sec. 4.** RCW 28A.150.315 and 2009 c 548 s 107 are each amended to  
25 read as follows:

26 (1) Beginning with the 2007-08 school year, funding for voluntary  
27 all-day kindergarten programs shall be phased-in beginning with schools  
28 with the highest (~~(poverty levels,)~~) numbers of kids at hope, which for  
29 the purpose of this section shall be defined as those schools with the  
30 highest percentages of students qualifying for free and reduced-price  
31 lunch support in the prior school year. Once a school receives funding  
32 for the all-day kindergarten program, that school shall remain eligible  
33 for funding in subsequent school years regardless of changes in the  
34 school's percentage of (~~(students eligible for free and reduced-price~~  
35 ~~lunches)~~) kids at hope as long as other program requirements are  
36 fulfilled. Additionally, schools receiving all-day kindergarten  
37 program support shall agree to the following conditions:

- 1 (a) Provide at least a one thousand-hour instructional program;
- 2 (b) Provide a curriculum that offers a rich, varied set of
- 3 experiences that assist students in:
  - 4 (i) Developing initial skills in the academic areas of reading,
  - 5 mathematics, and writing;
  - 6 (ii) Developing a variety of communication skills;
  - 7 (iii) Providing experiences in science, social studies, arts,
  - 8 health and physical education, and a world language other than English;
  - 9 (iv) Acquiring large and small motor skills;
  - 10 (v) Acquiring social and emotional skills including successful
  - 11 participation in learning activities as an individual and as part of a
  - 12 group; and
  - 13 (vi) Learning through hands-on experiences;
- 14 (c) Establish learning environments that are developmentally
- 15 appropriate and promote creativity;
- 16 (d) Demonstrate strong connections and communication with early
- 17 learning community providers; and
- 18 (e) Participate in kindergarten program readiness activities with
- 19 early learning providers and parents.
- 20 (2) Subject to funds appropriated for this purpose, the
- 21 superintendent of public instruction shall designate one or more school
- 22 districts to serve as resources and examples of best practices in
- 23 designing and operating a high-quality all-day kindergarten program.
- 24 Designated school districts shall serve as lighthouse programs and
- 25 provide technical assistance to other school districts in the initial
- 26 stages of implementing an all-day kindergarten program. Examples of
- 27 topics addressed by the technical assistance include strategic
- 28 planning, developing the instructional program and curriculum, working
- 29 with early learning providers to identify students and communicate with
- 30 parents, and developing kindergarten program readiness activities.

31 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.170  
32 RCW to read as follows:

33 For the purposes of this chapter "kids at hope" means students who  
34 may have or who have problems of drug and alcohol abuse.

35 **Sec. 6.** RCW 28A.170.075 and 1995 c 335 s 204 are each amended to  
36 read as follows:

1 (1) The legislature finds that the provision of drug and alcohol  
2 counseling and related prevention and intervention services in schools  
3 will enhance the classroom environment for students and teachers, and  
4 better enable students to realize their academic and personal  
5 potentials.

6 (2) The legislature finds that it is essential that resources be  
7 made available to school districts to provide early drug and alcohol  
8 prevention and intervention services to students and their families; to  
9 assist in referrals to treatment providers; and to strengthen the  
10 transition back to school for students who have had problems of drug  
11 and alcohol abuse.

12 (3) Substance abuse awareness programs funded under this chapter do  
13 not fall within the definition of basic education for purposes of  
14 Article IX of the state Constitution and the state's funding duty  
15 thereunder.

16 (4) The legislature intends to provide grants for drug and alcohol  
17 abuse prevention and intervention in schools, targeted to those schools  
18 with the highest concentrations of (~~students at risk~~) kids at hope.

19 **Sec. 7.** RCW 28A.170.090 and 1995 c 335 s 205 are each amended to  
20 read as follows:

21 (1) The superintendent of public instruction shall select school  
22 districts and cooperatives of school districts to receive grants for  
23 drug and alcohol abuse prevention and intervention programs for  
24 students in kindergarten through twelfth grade, from funds appropriated  
25 by the legislature for this purpose. The minimum annual grant amount  
26 per district or cooperative of districts shall be twenty thousand  
27 dollars. Factors to be used in selecting proposals for funding and in  
28 determining grant awards shall be developed in consultation with the  
29 substance abuse advisory committee appointed under RCW 28A.170.050,  
30 with the intent of targeting funding to districts with (~~high-risk~~)  
31 kids at hope populations. These factors may include:

32 (a) Characteristics of the school attendance areas to be served,  
33 such as the number of students from low-income families, truancy rates,  
34 juvenile justice referrals, and social services caseloads;

35 (b) The total number of students who would have access to services;  
36 and

1 (c) Participation of community groups and law enforcement agencies  
2 in drug and alcohol abuse prevention and intervention activities.

3 (2) The application procedures for grants under this section shall  
4 include provisions for comprehensive planning, establishment of a  
5 school and community substance abuse advisory committee, and  
6 documentation of the district's needs assessment. Planning and  
7 application for grants under this section may be integrated with the  
8 development of other substance abuse awareness programs by school  
9 districts. School districts shall, to the maximum extent feasible,  
10 coordinate the use of grants provided under this section with other  
11 funding available for substance abuse awareness programs. School  
12 districts should allocate resources giving emphasis to drug and alcohol  
13 abuse intervention services for (~~students~~) kids at hope in grades  
14 five through nine. Grants may be used to provide services for students  
15 who are enrolled in approved private schools.

16 (3) School districts receiving grants under this section shall be  
17 required to establish a means of accessing formal assessment services  
18 for determining treatment needs of (~~students~~) kids at hope with drug  
19 and alcohol problems. The grant applications submitted by districts  
20 shall identify the districts' plan for meeting this requirement.

21 (4) School districts receiving grants under this section shall be  
22 required to perform biennial evaluations of their drug and alcohol  
23 abuse prevention and intervention programs, and to report on the  
24 results of these evaluations to the superintendent of public  
25 instruction.

26 (5) The superintendent of public instruction may adopt rules to  
27 implement RCW 28A.170.080 and 28A.170.090.

28 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.175  
29 RCW to read as follows:

30 For the purposes of this chapter, "kids at hope" means students at  
31 risk of dropping out of school.

32 **Sec. 9.** RCW 28A.175.025 and 2007 c 408 s 2 are each amended to  
33 read as follows:

34 Subject to the availability of funds appropriated for this purpose,  
35 the office of the superintendent of public instruction shall create a  
36 grant program and award grants to local partnerships of schools,

1 families, and communities to begin the phase in of a statewide  
2 comprehensive dropout prevention, intervention, and retrieval system.  
3 This program shall be known as the building bridges program.

4 (1) For purposes of RCW 28A.175.025 through 28A.175.075, a  
5 "building bridges program" means a local partnership of schools,  
6 families, and communities that provides all of the following programs  
7 or activities:

8 (a) A system that identifies individual (~~students~~) kids at hope  
9 at risk of dropping out from middle through high school based on local  
10 predictive data, including state assessment data starting in the fourth  
11 grade, and provides timely interventions for such (~~students~~) kids at  
12 hope and for dropouts, including a plan for educational success as  
13 already required by the student learning plan as defined under RCW  
14 28A.655.061. (~~Students~~) Kids at hope identified shall include foster  
15 care youth, youth involved in the juvenile justice system, and students  
16 receiving special education services under chapter 28A.155 RCW;

17 (b) Coaches or mentors for students as necessary;

18 (c) Staff responsible for coordination of community partners that  
19 provide a seamless continuum of academic and nonacademic support in  
20 schools and communities;

21 (d) Retrieval or reentry activities; and

22 (e) Alternative educational programming, including, but not limited  
23 to, career and technical education exploratory and preparatory programs  
24 and online learning opportunities.

25 (2) One of the grants awarded under this section shall be for a  
26 two-year demonstration project focusing on providing fifth through  
27 twelfth grade (~~students~~) kids at hope with a program that utilizes  
28 technology and is integrated with state standards, basic academics,  
29 cross-cultural exposures, and age-appropriate preemployment training.  
30 The project shall:

31 (a) Establish programs in two western Washington and one eastern  
32 Washington urban areas;

33 (b) Identify (~~at-risk students~~) kids at hope in each of the  
34 distinct communities and populations and implement strategies to close  
35 the achievement gap;

36 (c) Collect and report data on participant characteristics and  
37 outcomes of the project, including the characteristics and outcomes  
38 specified under RCW 28A.175.035(1)(e); and



1 (d) Submit a report to the legislature by December 1, 2009.

2 **Sec. 10.** 2007 c 408 s 1 (uncodified) is amended to read as  
3 follows:

4 It is the intent of the legislature that increasing academic  
5 success and increasing graduation rates be dual goals for the K-12  
6 system. The legislature finds that only seventy-four percent of the  
7 class of 2005 graduated on time. Students of color, students living in  
8 poverty, students in foster care, students in the juvenile justice  
9 system, students who are homeless, students for whom English is not  
10 their primary language, and students with disabilities have lower  
11 graduation rates than the average. The legislature further finds that  
12 ((students)) kids at hope who drop out experience more frequent  
13 occurrences of early pregnancy, delinquency, substance abuse, and  
14 mental health issues, and have greater need of publicly funded health  
15 and social services. The legislature further finds that helping all  
16 students be successful in school requires active participation in  
17 coordinating services from schools, parents, and other stakeholders and  
18 agencies in the local community. The legislature finds that existing  
19 resources to vulnerable youth are used more efficiently and effectively  
20 when there is significant coordination across local and state entities.  
21 The legislature further finds that efficiency and accountability of the  
22 K-12 system would be improved by creating a dropout prevention and  
23 intervention grant program that implements research-based and emerging  
24 best practices and evaluates results.

25 **Sec. 11.** RCW 28A.175.065 and 2007 c 408 s 6 are each amended to  
26 read as follows:

27 (1) Educational service districts, in collaboration with area  
28 workforce development councils, shall:

29 (a) Provide technical assistance to local partnerships established  
30 under a grant awarded under RCW 28A.175.025 in collecting and using  
31 performance data; and

32 (b) At the request of a local partnership established under a grant  
33 awarded under RCW 28A.175.025, provide assistance in the development of  
34 a functional sustainability plan, including the identification of  
35 potential funding sources for future operation.

1 (2) Local partnerships established under a grant awarded under RCW  
2 28A.175.025 may contract with an educational service district,  
3 workforce development council, or a private agency for specialized  
4 training in such areas as cultural competency, identifying diverse  
5 learning styles, and intervention strategies for (~~students at risk of~~  
6 ~~dropping out of school~~) kids at hope.

7 **Sec. 12.** RCW 28A.175.075 and 2007 c 408 s 7 are each amended to  
8 read as follows:

9 (1) The office of the superintendent of public instruction shall  
10 establish a state-level work group that includes K-12 and state  
11 agencies that work with (~~youth~~) kids at hope who have dropped out or  
12 are at risk of dropping out of school. The state-level leadership  
13 group shall consist of one representative from each of the following  
14 agencies and organizations: The workforce training and education  
15 coordinating board; career and technical education including skill  
16 centers; relevant divisions of the department of social and health  
17 services; the juvenile courts; the Washington association of  
18 prosecuting attorneys; the Washington state office of public defense;  
19 the employment security department; accredited institutions of higher  
20 education; the educational service districts; the area workforce  
21 development councils; parent and educator associations; the department  
22 of health; local school districts; agencies or organizations that  
23 provide services to special education students; community organizations  
24 serving youth; federally recognized tribes and urban tribal centers;  
25 each of the major political caucuses of the senate and house of  
26 representatives; and the minority commissions.

27 (2) To assist and enhance the work of the building bridges  
28 program(~~s~~) established in RCW (~~28A.175.055~~) 28A.175.025, the state-  
29 level work group shall:

30 (a) Identify and make recommendations to the legislature for the  
31 reduction of fiscal, legal, and regulatory barriers that prevent  
32 coordination of program resources across agencies at the state and  
33 local level;

34 (b) Develop and track performance measures and benchmarks for each  
35 partner agency or organization across the state including performance  
36 measures and benchmarks based on student characteristics and outcomes  
37 specified in RCW 28A.175.035(1)(e); and

1 (c) Identify research-based and emerging best practices regarding  
2 prevention, intervention, and retrieval programs.

3 (3) The work group shall report to the legislature and the governor  
4 on an annual basis beginning December 1, 2007, with recommendations for  
5 implementing emerging best practices, needed additional resources, and  
6 eliminating barriers.

7 **Sec. 13.** RCW 28A.225.035 and 2009 c 266 s 3 are each amended to  
8 read as follows:

9 (1) A petition for a civil action under RCW 28A.225.030 or  
10 28A.225.015 shall consist of a written notification to the court  
11 alleging that:

12 (a) The child has unexcused absences during the current school  
13 year;

14 (b) Actions taken by the school district have not been successful  
15 in substantially reducing the child's absences from school; and

16 (c) Court intervention and supervision are necessary to assist the  
17 school district or parent to reduce the child's absences from school.

18 (2) The petition shall set forth the name, date of birth, school,  
19 address, gender, race, and ethnicity of the child and the names and  
20 addresses of the child's parents, and shall set forth whether the child  
21 and parent are fluent in English and whether there is an existing  
22 individualized education program.

23 (3) The petition shall set forth facts that support the allegations  
24 in this section and shall generally request relief available under this  
25 chapter and provide information about what the court might order under  
26 RCW 28A.225.090.

27 (4) When a petition is filed under RCW 28A.225.030 or 28A.225.015,  
28 the juvenile court shall schedule a hearing at which the court shall  
29 consider the petition, or if the court determines that a referral to an  
30 available community truancy board would substantially reduce the  
31 child's unexcused absences, the court may refer the case to a community  
32 truancy board under the jurisdiction of the juvenile court.

33 (5) If a referral is made to a community truancy board, the truancy  
34 board must meet with the child, a parent, and the school district  
35 representative and enter into an agreement with the petitioner and  
36 respondent regarding expectations and any actions necessary to address  
37 the child's truancy within twenty days of the referral. If the

1 petition is based on RCW 28A.225.015, the child shall not be required  
2 to attend and the agreement under this subsection shall be between the  
3 truancy board, the school district, and the child's parent. The court  
4 may permit the truancy board or truancy prevention counselor to provide  
5 continued supervision over the student, or parent if the petition is  
6 based on RCW 28A.225.015.

7 (6) If the truancy board fails to reach an agreement, or the parent  
8 or student does not comply with the agreement, the truancy board shall  
9 return the case to the juvenile court for a hearing.

10 (7)(a) Notwithstanding the provisions in subsection (4) of this  
11 section, a hearing shall not be required if other actions by the court  
12 would substantially reduce the child's unexcused absences. When a  
13 juvenile court hearing is held, the court shall:

14 (i) Separately notify the child, the parent of the child, and the  
15 school district of the hearing. If the parent is not fluent in  
16 English, the preferred practice is for notice to be provided in a  
17 language in which the parent is fluent;

18 (ii) Notify the parent and the child of their rights to present  
19 evidence at the hearing; and

20 (iii) Notify the parent and the child of the options and rights  
21 available under chapter 13.32A RCW.

22 (b) If the child is not provided with counsel, the advisement of  
23 rights must take place in court by means of a colloquy between the  
24 court, the child if eight years old or older, and the parent.

25 (8) The court may require the attendance of the child if eight  
26 years old or older, the parents, and the school district at any hearing  
27 on a petition filed under RCW 28A.225.030.

28 (9) A school district is responsible for determining who shall  
29 represent the school district at hearings on a petition filed under RCW  
30 28A.225.030 or 28A.225.015.

31 (10) The court may permit the first hearing to be held without  
32 requiring that either party be represented by legal counsel, and to be  
33 held without a guardian ad litem for the child under RCW 4.08.050. At  
34 the request of the school district, the court shall permit a school  
35 district representative who is not an attorney to represent the school  
36 district at any future hearings.

37 (11) If the child is in a special education program or has a

1 diagnosed mental or emotional disorder, the court shall inquire as to  
2 what efforts the school district has made to assist the child in  
3 attending school.

4 (12) If the allegations in the petition are established by a  
5 preponderance of the evidence, the court shall grant the petition and  
6 enter an order assuming jurisdiction to intervene for the period of  
7 time determined by the court, after considering the facts alleged in  
8 the petition and the circumstances of the juvenile, to most likely  
9 cause the juvenile to return to and remain in school while the juvenile  
10 is subject to this chapter. In no case may the order expire before the  
11 end of the school year in which it is entered.

12 (13) If the court assumes jurisdiction, the school district shall  
13 regularly report to the court any additional unexcused absences by the  
14 child.

15 (14) Community truancy boards and the courts shall coordinate, to  
16 the extent possible, proceedings and actions pertaining to children who  
17 are subject to truancy petitions and (~~at-risk youth~~) kids at hope  
18 petitions in RCW 13.32A.191 or (~~child~~) kids at hope in need of  
19 services petitions in RCW 13.32A.140.

20 (15) If after a juvenile court assumes jurisdiction in one county  
21 the child relocates to another county, the juvenile court in the  
22 receiving county shall, upon the request of a school district or  
23 parent, assume jurisdiction of the petition filed in the previous  
24 county.

25 **Sec. 14.** RCW 13.32A.010 and 2000 c 123 s 1 are each amended to  
26 read as follows:

27 The legislature finds that within any group of people there exists  
28 a need for guidelines for acceptable behavior and that, presumptively,  
29 the experience and maturity of parents make them better qualified to  
30 establish guidelines beneficial to and protective of their children.  
31 The legislature further finds that it is the right and responsibility  
32 of adults to establish laws for the benefit and protection of the  
33 society; and that, in the same manner, the right and responsibility for  
34 establishing reasonable guidelines for the family unit belongs to the  
35 adults within that unit. Further, absent abuse or neglect, parents  
36 have the right to exercise control over their children. The  
37 legislature reaffirms its position stated in RCW 13.34.020 that the

1 family unit is the fundamental resource of American life which should  
2 be nurtured and that it should remain intact in the absence of  
3 compelling evidence to the contrary.

4 The legislature recognizes there is a need for services and  
5 assistance for parents and children who are in conflict. These  
6 conflicts are manifested by children who exhibit various behaviors  
7 including: Running away, substance abuse, serious acting out problems,  
8 mental health needs, and other behaviors that endanger themselves or  
9 others.

10 The legislature finds many parents do not know their rights  
11 regarding their adolescent children and law enforcement. Parents and  
12 courts feel they have insufficient legal recourse for the chronic  
13 runaway child who is endangering himself or herself through his or her  
14 behavior. The legislature further recognizes that for chronic runaways  
15 whose behavior puts them in serious danger of harming themselves or  
16 others, secure facilities must be provided to allow opportunities for  
17 assessment, treatment, and to assist parents and protect their  
18 children. The legislature intends to give tools to parents, courts,  
19 and law enforcement to keep families together and reunite them whenever  
20 possible.

21 The legislature recognizes that some children run away to protect  
22 themselves from abuse or neglect in their homes. Abused and neglected  
23 children should be dealt with pursuant to chapter 13.34 RCW and it is  
24 not the intent of the legislature to handle dependency matters under  
25 this chapter.

26 The legislature intends services offered under this chapter be on  
27 a voluntary basis whenever possible to children and their families and  
28 that the courts be used as a last resort.

29 The legislature intends to increase the safety of children through  
30 the preservation of families and the provision of assessment,  
31 treatment, and placement services for ((children)) kids at hope in need  
32 of services and ((at-risk youth)) kids at hope including services and  
33 assessments conducted under chapter 13.32A RCW and RCW 74.13.033.  
34 Within available funds, the legislature intends to provide these  
35 services through crisis residential centers in which children and youth  
36 may safely reside for a limited period of time. The time in residence  
37 shall be used to conduct an assessment of the needs of the children,  
38 youth, and their families. The assessments are necessary to identify

1 appropriate services and placement options that will reduce the  
2 likelihood that children will place themselves in dangerous or life-  
3 threatening situations.

4 The legislature recognizes that crisis residential centers provide  
5 an opportunity for children to receive short-term necessary support and  
6 nurturing in cases where there may be abuse or neglect. The  
7 legislature intends that center staff provide an atmosphere of concern,  
8 care, and respect for children in the center and their parents.

9 The legislature intends to provide for the protection of children  
10 who, through their behavior, are endangering themselves. The  
11 legislature intends to provide appropriate residential services,  
12 including secure facilities, to protect, stabilize, and treat children  
13 with serious problems. The legislature further intends to empower  
14 parents by providing them with the assistance they require to raise  
15 their children.

16 **Sec. 15.** RCW 13.32A.015 and 1990 c 276 s 1 are each amended to  
17 read as follows:

18 It is the intent of the legislature to:

19 (1) Preserve, strengthen, and reconcile families experiencing  
20 problems with ((~~at-risk youth~~)) kids at hope;

21 (2) Provide a legal process by which parents who are experiencing  
22 problems with ((~~at-risk youth~~)) kids at hope can request and receive  
23 assistance from juvenile courts in providing appropriate care,  
24 treatment, and supervision to such youth; and

25 (3) Assess the effectiveness of the family reconciliation services  
26 program.

27 The legislature does not intend by this enactment to grant any  
28 parent the right to file ((~~an at-risk youth~~)) a kids at hope petition  
29 or receive juvenile court assistance in dealing with ((~~an at-risk~~  
30 ~~youth~~)) kids at hope. The purpose of chapter 276, Laws of 1990 is to  
31 create a process by which a parent of ((~~an at-risk youth~~)) a kid at  
32 hope may request and receive assistance subject to the availability of  
33 juvenile court services and resources. Recognizing that these services  
34 and resources are limited, the legislature intends that counties have  
35 the authority to impose reasonable limits on the utilization of  
36 juvenile court services and resources in matters related to at-risk

1 youth. Any responsibilities imposed upon the department under chapter  
2 276, Laws of 1990 shall be contingent upon the availability of funds  
3 specifically appropriated by the legislature for such purpose.

4 **Sec. 16.** RCW 13.32A.030 and 2000 c 123 s 2 are each amended to  
5 read as follows:

6 As used in this chapter the following terms have the meanings  
7 indicated unless the context clearly requires otherwise:

8 (1) "Abuse or neglect" means the injury, sexual abuse, sexual  
9 exploitation, negligent treatment, or maltreatment of a child by any  
10 person under circumstances which indicate that the child's health,  
11 welfare, and safety is harmed, excluding conduct permitted under RCW  
12 9A.16.100. An abused child is a child who has been subjected to child  
13 abuse or neglect as defined in this section.

14 (2) "Administrator" means the individual who has the daily  
15 administrative responsibility of a crisis residential center, or his or  
16 her designee.

17 (3) "~~((At-risk youth))~~ Kid at hope" means a juvenile:

18 (a) Who is absent from home for at least seventy-two consecutive  
19 hours without consent of his or her parent;

20 (b) Who is beyond the control of his or her parent such that the  
21 child's behavior endangers the health, safety, or welfare of the child  
22 or any other person; or

23 (c) Who has a substance abuse problem for which there are no  
24 pending criminal charges related to the substance abuse.

25 (4) "Child," "juvenile," and "youth" mean any unemancipated  
26 individual who is under the chronological age of eighteen years.

27 (5) "~~((Child in need of services))~~ Kid at hope" means a juvenile:

28 (a) Who is beyond the control of his or her parent such that the  
29 child's behavior endangers the health, safety, or welfare of the child  
30 or other person;

31 (b) Who has been reported to law enforcement as absent without  
32 consent for at least twenty-four consecutive hours on two or more  
33 separate occasions from the home of either parent, a crisis residential  
34 center, an out-of-home placement, or a court-ordered placement; and

35 (i) Has exhibited a serious substance abuse problem; or

36 (ii) Has exhibited behaviors that create a serious risk of harm to  
37 the health, safety, or welfare of the child or any other person; or



1 (c)(i) Who is in need of: (A) Necessary services, including food,  
2 shelter, health care, clothing, or education; or (B) services designed  
3 to maintain or reunite the family;

4 (ii) Who lacks access to, or has declined to utilize, these  
5 services; and

6 (iii) Whose parents have evidenced continuing but unsuccessful  
7 efforts to maintain the family structure or are unable or unwilling to  
8 continue efforts to maintain the family structure.

9 (6) "~~((Child))~~ Kid at hope in need of services petition" means a  
10 petition filed in juvenile court by a parent, child, or the department  
11 seeking adjudication of placement of the child.

12 (7) "Crisis residential center" means a secure or semi-secure  
13 facility established pursuant to chapter 74.13 RCW.

14 (8) "Custodian" means the person or entity who has the legal right  
15 to the custody of the child.

16 (9) "Department" means the department of social and health  
17 services.

18 (10) "Extended family member" means an adult who is a grandparent,  
19 brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin  
20 with whom the child has a relationship and is comfortable, and who is  
21 willing and available to care for the child.

22 (11) "Guardian" means that person or agency that (a) has been  
23 appointed as the guardian of a child in a legal proceeding other than  
24 a proceeding under chapter 13.34 RCW, and (b) has the right to legal  
25 custody of the child pursuant to such appointment. The term "guardian"  
26 does not include a "dependency guardian" appointed pursuant to a  
27 proceeding under chapter 13.34 RCW.

28 (12) "Multidisciplinary team" means a group formed to provide  
29 assistance and support to a child who is (~~(an at-risk youth)~~) a kid at  
30 hope or a (~~(child)~~) kid at hope in need of services and his or her  
31 parent. The team shall include the parent, a department case worker,  
32 a local government representative when authorized by the local  
33 government, and when appropriate, members from the mental health and  
34 substance abuse disciplines. The team may also include, but is not  
35 limited to, the following persons: Educators, law enforcement  
36 personnel, probation officers, employers, church persons, tribal  
37 members, therapists, medical personnel, social service providers,  
38 placement providers, and extended family members. The team members

1 shall be volunteers who do not receive compensation while acting in a  
2 capacity as a team member, unless the member's employer chooses to  
3 provide compensation or the member is a state employee.

4 (13) "Out-of-home placement" means a placement in a foster family  
5 home or group care facility licensed pursuant to chapter 74.15 RCW or  
6 placement in a home, other than that of the child's parent, guardian,  
7 or legal custodian, not required to be licensed pursuant to chapter  
8 74.15 RCW.

9 (14) "Parent" means the parent or parents who have the legal right  
10 to custody of the child. "Parent" includes custodian or guardian.

11 (15) "Secure facility" means a crisis residential center, or  
12 portion thereof, that has locking doors, locking windows, or a secured  
13 perimeter, designed and operated to prevent a child from leaving  
14 without permission of the facility staff.

15 (16) "Semi-secure facility" means any facility, including but not  
16 limited to crisis residential centers or specialized foster family  
17 homes, operated in a manner to reasonably assure that youth placed  
18 there will not run away. Pursuant to rules established by the  
19 department, the facility administrator shall establish reasonable hours  
20 for residents to come and go from the facility such that no residents  
21 are free to come and go at all hours of the day and night. To prevent  
22 residents from taking unreasonable actions, the facility administrator,  
23 where appropriate, may condition a resident's leaving the facility upon  
24 the resident being accompanied by the administrator or the  
25 administrator's designee and the resident may be required to notify the  
26 administrator or the administrator's designee of any intent to leave,  
27 his or her intended destination, and the probable time of his or her  
28 return to the center.

29 (17) "Staff secure facility" means a structured group care facility  
30 licensed under rules adopted by the department with a ratio of at least  
31 one adult staff member to every two children.

32 (18) "Temporary out-of-home placement" means an out-of-home  
33 placement of not more than fourteen days ordered by the court at a  
34 fact-finding hearing on a child in need of services petition.

35 **Sec. 17.** RCW 13.32A.040 and 2000 c 123 s 3 are each amended to  
36 read as follows:

37 Families who are in conflict or who are experiencing problems with

1 ((~~at-risk youth~~)) kids at hope or a ((~~child~~)) kid at hope who may be in  
2 need of services may request family reconciliation services from the  
3 department. The department may involve a local multidisciplinary team  
4 in its response in determining the services to be provided and in  
5 providing those services. Such services shall be provided to alleviate  
6 personal or family situations which present a serious and imminent  
7 threat to the health or stability of the child or family and to  
8 maintain families intact wherever possible. Family reconciliation  
9 services shall be designed to develop skills and supports within  
10 families to resolve problems related to ((~~at-risk youth~~)) kids at hope,  
11 ((~~children~~)) kids at hope in need of services, or family conflicts.  
12 These services may include but are not limited to referral to services  
13 for suicide prevention, psychiatric or other medical care, or  
14 psychological, mental health, drug or alcohol treatment, welfare,  
15 legal, educational, or other social services, as appropriate to the  
16 needs of the child and the family, and training in parenting, conflict  
17 management, and dispute resolution skills.

18 **Sec. 18.** RCW 13.32A.042 and 2000 c 123 s 4 are each amended to  
19 read as follows:

20 (1)(a) The administrator of a crisis residential center may convene  
21 a multidisciplinary team, which is to be locally based and  
22 administered, at the request of a child placed at the center or the  
23 child's parent.

24 (b) If the administrator has reasonable cause to believe that a  
25 child is a ((~~child~~)) kid at hope in need of services and the parent is  
26 unavailable or unwilling to continue efforts to maintain the family  
27 structure, the administrator shall immediately convene a  
28 multidisciplinary team.

29 (c) A parent may disband a team twenty-four hours, excluding  
30 weekends and holidays, after receiving notice of formation of the team  
31 under (b) of this subsection unless a petition has been filed under RCW  
32 13.32A.140. If a petition has been filed the parent may not disband  
33 the team until the hearing is held under RCW 13.32A.179. The court may  
34 allow the team to continue if an out-of-home placement is ordered under  
35 RCW 13.32A.179(3). Upon the filing of ((~~an at-risk youth~~)) a kid at  
36 hope or dependency petition the team shall cease to exist, unless the

1 parent requests continuation of the team or unless the out-of-home  
2 placement was ordered under RCW 13.32A.179(3).

3 (2) The secretary shall request participation of appropriate state  
4 agencies to assist in the coordination and delivery of services through  
5 the multidisciplinary teams. Those agencies that agree to participate  
6 shall provide the secretary all information necessary to facilitate  
7 forming a multidisciplinary team and the secretary shall provide this  
8 information to the administrator of each crisis residential center.

9 (3) The secretary shall designate within each region a department  
10 employee who shall have responsibility for coordination of the state  
11 response to a request for creation of a multidisciplinary team. The  
12 secretary shall advise the administrator of each crisis residential  
13 center of the name of the appropriate employee. Upon a request of the  
14 administrator to form a multidisciplinary team the employee shall  
15 provide a list of the agencies that have agreed to participate in the  
16 multidisciplinary team.

17 (4) The administrator shall also seek participation from  
18 representatives of mental health and drug and alcohol treatment  
19 providers as appropriate.

20 (5) A parent shall be advised of the request to form a  
21 multidisciplinary team and may select additional members of the  
22 multidisciplinary team. The parent or child may request any person or  
23 persons to participate including, but not limited to, educators, law  
24 enforcement personnel, court personnel, family therapists, licensed  
25 health care practitioners, social service providers, youth residential  
26 placement providers, other family members, church representatives, and  
27 members of their own community. The administrator shall assist in  
28 obtaining the prompt participation of persons requested by the parent  
29 or child.

30 (6) When an administrator of a crisis residential center requests  
31 the formation of a team, the state agencies must respond as soon as  
32 possible.

33 **Sec. 19.** RCW 13.32A.044 and 2000 c 123 s 5 are each amended to  
34 read as follows:

35 (1) The purpose of the multidisciplinary team is to assist in a  
36 coordinated referral of the family to available social and health-  
37 related services.

1 (2) The team shall have the authority to evaluate the juvenile, and  
2 family members, if appropriate and agreed to by the parent, and shall:

3 (a) With parental input, develop a plan of appropriate available  
4 services and assist the family in obtaining those services;

5 (b) Make a referral to the designated chemical dependency  
6 specialist or the county designated mental health professional, if  
7 appropriate;

8 (c) Recommend no further intervention because the juvenile and his  
9 or her family have resolved the problem causing the family conflict; or

10 (d) With the parent's consent, work with them to achieve  
11 reconciliation of the child and family.

12 (3) At the first meeting of the multidisciplinary team, it shall  
13 choose a member to coordinate the team's efforts. The parent member of  
14 the multidisciplinary team must agree with the choice of coordinator.  
15 The team shall meet or communicate as often as necessary to assist the  
16 family.

17 (4) The coordinator of the multidisciplinary team may assist in  
18 filing a ((child)) kid at hope in need of services petition when  
19 requested by the parent or child or ((an at-risk youth)) a kid at hope  
20 petition when requested by the parent. The multidisciplinary team  
21 shall have no standing as a party in any action under this title.

22 (5) If the administrator is unable to contact the child's parent,  
23 the multidisciplinary team may be used for assistance. If the parent  
24 has not been contacted within five days the administrator shall contact  
25 the department and request the case be reviewed for a dependency filing  
26 under chapter 13.34 RCW.

27 **Sec. 20.** RCW 13.32A.060 and 2000 c 162 s 11 and 2000 c 123 s 7 are  
28 each reenacted and amended to read as follows:

29 (1) An officer taking a child into custody under RCW 13.32A.050(1)  
30 (a) or (b) shall inform the child of the reason for such custody and  
31 shall:

32 (a) Transport the child to his or her home or to a parent at his or  
33 her place of employment, if no parent is at home. The parent may  
34 request that the officer take the child to the home of an adult  
35 extended family member, responsible adult, crisis residential center,  
36 the department, or a licensed youth shelter. In responding to the  
37 request of the parent, the officer shall take the child to a requested

1 place which, in the officer's belief, is within a reasonable distance  
2 of the parent's home. The officer releasing a child into the custody  
3 of a parent, an adult extended family member, responsible adult, or a  
4 licensed youth shelter shall inform the person receiving the child of  
5 the reason for taking the child into custody and inform all parties of  
6 the nature and location of appropriate services available in the  
7 community; or

8 (b) After attempting to notify the parent, take the child to a  
9 designated crisis residential center's secure facility or a center's  
10 semi-secure facility if a secure facility is full, not available, or  
11 not located within a reasonable distance if:

12 (i) The child expresses fear or distress at the prospect of being  
13 returned to his or her home which leads the officer to believe there is  
14 a possibility that the child is experiencing some type of abuse or  
15 neglect;

16 (ii) It is not practical to transport the child to his or her home  
17 or place of the parent's employment; or

18 (iii) There is no parent available to accept custody of the child;  
19 or

20 (c) After attempting to notify the parent, if a crisis residential  
21 center is full, not available, or not located within a reasonable  
22 distance, request the department to accept custody of the child. If  
23 the department determines that an appropriate placement is currently  
24 available, the department shall accept custody and place the child in  
25 an out-of-home placement. Upon accepting custody of a child from the  
26 officer, the department may place the child in an out-of-home placement  
27 for up to seventy-two hours, excluding Saturdays, Sundays, and  
28 holidays, without filing a ((child)) kid at hope in need of services  
29 petition, obtaining parental consent, or obtaining an order for  
30 placement under chapter 13.34 RCW. Upon transferring a child to the  
31 department's custody, the officer shall provide written documentation  
32 of the reasons and the statutory basis for taking the child into  
33 custody. If the department declines to accept custody of the child,  
34 the officer may release the child after attempting to take the child to  
35 the following, in the order listed: The home of an adult extended  
36 family member; a responsible adult; or a licensed youth shelter. The  
37 officer shall immediately notify the department if no placement option  
38 is available and the child is released.

1 (2) An officer taking a child into custody under RCW 13.32A.050(1)  
2 (c) or (d) shall inform the child of the reason for custody. An  
3 officer taking a child into custody under RCW 13.32A.050(1)(c) may  
4 release the child to the supervising agency, or shall take the child to  
5 a designated crisis residential center's secure facility. If the  
6 secure facility is not available, not located within a reasonable  
7 distance, or full, the officer shall take the child to a semi-secure  
8 crisis residential center. An officer taking a child into custody  
9 under RCW 13.32A.050(1)(d) may place the child in a juvenile detention  
10 facility as provided in RCW 13.32A.065 or a secure facility, except  
11 that the child shall be taken to detention whenever the officer has  
12 been notified that a juvenile court has entered a detention order under  
13 this chapter or chapter 13.34 RCW.

14 (3) Every officer taking a child into custody shall provide the  
15 child and his or her parent or parents or responsible adult with a copy  
16 of the statement specified in RCW 13.32A.130(6).

17 (4) Whenever an officer transfers custody of a child to a crisis  
18 residential center or the department, the child may reside in the  
19 crisis residential center or may be placed by the department in an out-  
20 of-home placement for an aggregate total period of time not to exceed  
21 seventy-two hours excluding Saturdays, Sundays, and holidays.  
22 Thereafter, the child may continue in out-of-home placement only if the  
23 parents have consented, a ((child)) kid at home in need of services  
24 petition has been filed, or an order for placement has been entered  
25 under chapter 13.34 RCW.

26 (5) The department shall ensure that all law enforcement  
27 authorities are informed on a regular basis as to the location of all  
28 designated secure and semi-secure facilities within centers in their  
29 jurisdiction, where children taken into custody under RCW 13.32A.050  
30 may be taken.

31 **Sec. 21.** RCW 13.32A.120 and 2000 c 123 s 14 are each amended to  
32 read as follows:

33 (1) Where either a child or the child's parent or the person or  
34 facility currently providing shelter to the child notifies the center  
35 that such individual or individuals cannot agree to the continuation of  
36 an out-of-home placement arrived at pursuant to RCW  
37 13.32A.090(3)(d)(ii), the administrator of the center shall immediately

1 contact the remaining party or parties to the agreement and shall  
2 attempt to bring about the child's return home or to an alternative  
3 living arrangement agreeable to the child and the parent as soon as  
4 practicable.

5 (2) If a child and his or her parent cannot agree to an out-of-home  
6 placement under RCW 13.32A.090(3)(d)(ii), either the child or parent  
7 may file a ((child)) kid at hope in need of services petition to  
8 approve an out-of-home placement or the parent may file ((an-at-risk  
9 youth)) a kid at hope petition.

10 (3) If a child and his or her parent cannot agree to the  
11 continuation of an out-of-home placement under RCW  
12 13.32A.090(3)(d)(ii), either the child or parent may file a ((child))  
13 kid at hope in need of services petition to continue an out-of-home  
14 placement or the parent may file ((an-at-risk-youth)) a kid at hope  
15 petition.

16 **Sec. 22.** RCW 13.32A.130 and 2009 c 569 s 1 are each amended to  
17 read as follows:

18 (1) A child admitted to a secure facility located in a juvenile  
19 detention center shall remain in the facility for at least twenty-four  
20 hours after admission but for not more than five consecutive days. A  
21 child admitted to a secure facility not located in a juvenile detention  
22 center or a semi-secure facility may remain for not more than fifteen  
23 consecutive days. If a child is transferred between a secure and semi-  
24 secure facility, the aggregate length of time a child may remain in  
25 both facilities shall not exceed fifteen consecutive days per  
26 admission, and in no event may a child's stay in a secure facility  
27 located in a juvenile detention center exceed five days per admission.

28 (2)(a)(i) The facility administrator shall determine within twenty-  
29 four hours after a child's admission to a secure facility whether the  
30 child is likely to remain in a semi-secure facility and may transfer  
31 the child to a semi-secure facility or release the child to the  
32 department. The determination shall be based on: (A) The need for  
33 continued assessment, protection, and treatment of the child in a  
34 secure facility; and (B) the likelihood the child would remain at a  
35 semi-secure facility until his or her parents can take the child home  
36 or a petition can be filed under this title.



1 (ii) In making the determination the administrator shall consider  
2 the following information if known: (A) The child's age and maturity;  
3 (B) the child's condition upon arrival at the center; (C) the  
4 circumstances that led to the child's being taken to the center; (D)  
5 whether the child's behavior endangers the health, safety, or welfare  
6 of the child or any other person; (E) the child's history of running  
7 away; and (F) the child's willingness to cooperate in the assessment.

8 (b) If the administrator of a secure facility determines the child  
9 is unlikely to remain in a semi-secure facility, the administrator  
10 shall keep the child in the secure facility pursuant to this chapter  
11 and in order to provide for space for the child may transfer another  
12 child who has been in the facility for at least seventy-two hours to a  
13 semi-secure facility. The administrator shall only make a transfer of  
14 a child after determining that the child who may be transferred is  
15 likely to remain at the semi-secure facility.

16 (c) A crisis residential center administrator is authorized to  
17 transfer a child to a crisis residential center in the area where the  
18 child's parents reside or where the child's lawfully prescribed  
19 residence is located.

20 (d) An administrator may transfer a child from a semi-secure  
21 facility to a secure facility whenever he or she reasonably believes  
22 that the child is likely to leave the semi-secure facility and not  
23 return and after full consideration of all factors in (a)(i) and (ii)  
24 of this subsection.

25 (3) If no parent is available or willing to remove the child during  
26 the first seventy-two hours following admission, the department shall  
27 consider the filing of a petition under RCW 13.32A.140.

28 (4) Notwithstanding the provisions of subsection (1) of this  
29 section, the parents may remove the child at any time unless the staff  
30 of the crisis residential center has reasonable cause to believe that  
31 the child is absent from the home because he or she is abused or  
32 neglected or if allegations of abuse or neglect have been made against  
33 the parents. The department or any agency legally charged with the  
34 supervision of a child may remove a child from a crisis residential  
35 center at any time after the first twenty-four-hour period after  
36 admission has elapsed and only after full consideration by all parties  
37 of the factors in subsection (2)(a) of this section.

1 (5) Crisis residential center staff shall make reasonable efforts  
2 to protect the child and achieve a reconciliation of the family. If a  
3 reconciliation and voluntary return of the child has not been achieved  
4 within forty-eight hours from the time of admission, and if the  
5 administrator of the center does not consider it likely that  
6 reconciliation will be achieved within five days of the child's  
7 admission to the center, then the administrator shall inform the parent  
8 and child of: (a) The availability of counseling services; (b) the  
9 right to file a ((child)) kid at hope in need of services petition for  
10 an out-of-home placement, the right of a parent to file ((an at-risk  
11 youth)) a kid at hope petition, and the right of the parent and child  
12 to obtain assistance in filing the petition; (c) the right to request  
13 the facility administrator or his or her designee to form a  
14 multidisciplinary team; (d) the right to request a review of any out-  
15 of-home placement; (e) the right to request a mental health or chemical  
16 dependency evaluation by a county-designated professional or a private  
17 treatment facility; and (f) the right to request treatment in a program  
18 to address the child's at-risk behavior under RCW 13.32A.197.

19 (6) At no time shall information regarding a parent's or child's  
20 rights be withheld. The department shall develop and distribute to all  
21 law enforcement agencies and to each crisis residential center  
22 administrator a written statement delineating the services and rights.  
23 The administrator of the facility or his or her designee shall provide  
24 every resident and parent with a copy of the statement.

25 (7) A crisis residential center and any person employed at the  
26 center acting in good faith in carrying out the provisions of this  
27 section are immune from criminal or civil liability for such actions.

28 **Sec. 23.** RCW 13.32A.140 and 2000 c 123 s 16 are each amended to  
29 read as follows:

30 Unless the department files a dependency petition, the department  
31 shall file a ((child)) kid at hope in need of services petition to  
32 approve an out-of-home placement on behalf of a child under any of the  
33 following sets of circumstances:

34 (1) The child has been admitted to a crisis residential center or  
35 has been placed by the department in an out-of-home placement, and:

36 (a) The parent has been notified that the child was so admitted or  
37 placed;

1 (b) The child cannot return home, and legal authorization is needed  
2 for out-of-home placement beyond seventy-two hours;

3 (c) No agreement between the parent and the child as to where the  
4 child shall live has been reached;

5 (d) No ((~~child~~)) kid at hope in need of services petition has been  
6 filed by either the child or parent;

7 (e) The parent has not filed ((~~an at risk youth~~)) a kid at hope  
8 petition; and

9 (f) The child has no suitable place to live other than the home of  
10 his or her parent.

11 (2) The child has been admitted to a crisis residential center and:

12 (a) Seventy-two hours, including Saturdays, Sundays, and holidays,  
13 have passed since such placement;

14 (b) The staff, after searching with due diligence, have been unable  
15 to contact the parent of such child; and

16 (c) The child has no suitable place to live other than the home of  
17 his or her parent.

18 (3) An agreement between parent and child made pursuant to RCW  
19 13.32A.090(3)(d)(ii) or pursuant to RCW 13.32A.120(1) is no longer  
20 acceptable to parent or child, and:

21 (a) The party to whom the arrangement is no longer acceptable has  
22 so notified the department;

23 (b) Seventy-two hours, including Saturdays, Sundays, and holidays,  
24 have passed since such notification;

25 (c) No new agreement between parent and child as to where the child  
26 shall live has been reached;

27 (d) No ((~~child~~)) kid at hope in need of services petition has been  
28 filed by either the child or the parent;

29 (e) The parent has not filed ((~~an at risk youth~~)) a kid at hope  
30 petition; and

31 (f) The child has no suitable place to live other than the home of  
32 his or her parent.

33 Under the circumstances of subsections (1), (2), or (3) of this  
34 section, the child shall remain in an out-of-home placement until a  
35 ((~~child~~)) kid at hope in need of services petition filed by the  
36 department on behalf of the child is reviewed and resolved by the  
37 juvenile court. The department may authorize emergency medical or  
38 dental care for a child admitted to a crisis residential center or

1 placed in an out-of-home placement by the department. The state, when  
2 the department files a ((child)) kid at hope in need of services  
3 petition under this section, shall be represented as provided for in  
4 RCW 13.04.093.

5 **Sec. 24.** RCW 13.32A.150 and 2000 c 123 s 17 are each amended to  
6 read as follows:

7 (1) Except as otherwise provided in this chapter, the juvenile  
8 court shall not accept the filing of a ((child)) kid at hope in need of  
9 services petition by the child or the parents or the filing of ((an-at-  
10 risk-youth)) a kid at hope petition by the parent, unless verification  
11 is provided that the department has completed a family assessment. The  
12 family assessment shall involve the multidisciplinary team if one  
13 exists. The family assessment or plan of services developed by the  
14 multidisciplinary team shall be aimed at family reconciliation,  
15 reunification, and avoidance of the out-of-home placement of the child.  
16 If the department is unable to complete an assessment within two  
17 working days following a request for assessment the child or the  
18 parents may proceed under subsection (2) of this section or the parent  
19 may proceed under RCW 13.32A.191.

20 (2) A child or a child's parent may file with the juvenile court a  
21 ((child)) kid at hope in need of services petition to approve an out-  
22 of-home placement for the child. The department shall, when requested,  
23 assist either a parent or child in the filing of the petition. The  
24 petition must be filed in the county where the parent resides. The  
25 petition shall allege that the child is a ((child)) kid at hope in need  
26 of services and shall ask only that the placement of a child outside  
27 the home of his or her parent be approved. The filing of a petition to  
28 approve the placement is not dependent upon the court's having obtained  
29 any prior jurisdiction over the child or his or her parent, and confers  
30 upon the court a special jurisdiction to approve or disapprove an out-  
31 of-home placement under this chapter.

32 (3) A petition may not be filed if the child is the subject of a  
33 proceeding under chapter 13.34 RCW.

34 **Sec. 25.** RCW 13.32A.152 and 2004 c 64 s 5 are each amended to read  
35 as follows:

36 (1) Whenever a ((child)) kid at hope in need of services petition

1 is filed by: (a) A youth pursuant to RCW 13.32A.150; (b) the child or  
2 the child's parent pursuant to RCW 13.32A.120; or (c) the department  
3 pursuant to RCW 13.32A.140, the filing party shall have a copy of the  
4 petition served on the parents of the youth. Service shall first be  
5 attempted in person and if unsuccessful, then by certified mail with  
6 return receipt.

7 (2) Whenever a ((child)) kid at hope in need of services petition  
8 is filed by a youth or parent pursuant to RCW 13.32A.150, the court  
9 shall immediately notify the department that a petition has been filed.

10 (3)(a) Whenever the court or the petitioning party knows or has  
11 reason to know that an Indian child is involved, the petitioning party  
12 shall promptly provide notice to the child's parent or Indian custodian  
13 and to the agent designated by the child's Indian tribe to receive such  
14 notices. Notice shall be by certified mail with return receipt  
15 requested. If the identity or location of the parent or Indian  
16 custodian and the tribe cannot be determined, notice shall be given to  
17 the secretary of the interior in the manner described in 25 C.F.R.  
18 23.11. If the child may be a member of more than one tribe, the  
19 petitioning party shall send notice to all tribes the petitioner has  
20 reason to know may be affiliated with the child.

21 (b) The notice shall: (i) Contain a statement notifying the parent  
22 or custodian and the tribe of the pending proceeding; and (ii) notify  
23 the tribe of the tribe's right to intervene and/or request that the  
24 case be transferred to tribal court.

25 **Sec. 26.** RCW 13.32A.160 and 2000 c 123 s 19 are each amended to  
26 read as follows:

27 (1) When a proper ((child)) kid at hope in need of services  
28 petition to approve an out-of-home placement is filed under RCW  
29 13.32A.120, 13.32A.140, or 13.32A.150 the juvenile court shall: (a)(i)  
30 Schedule a fact-finding hearing to be held: (A) For a child who  
31 resides in a place other than his or her parent's home and other than  
32 an out-of-home placement, within five calendar days unless the last  
33 calendar day is a Saturday, Sunday, or holiday, in which case the  
34 hearing shall be held on the preceding judicial day; or (B) for a child  
35 living at home or in an out-of-home placement, within ten days; and  
36 (ii) notify the parent, child, and the department of such date; (b)  
37 notify the parent of the right to be represented by counsel and, if

1 indigent, to have counsel appointed for him or her by the court; (c)  
2 appoint legal counsel for the child; (d) inform the child and his or  
3 her parent of the legal consequences of the court approving or  
4 disapproving a ((child)) kid at hope in need of services petition; (e)  
5 notify the parents of their rights under this chapter and chapters  
6 11.88, 13.34, 70.96A, and 71.34 RCW, including the right to file ((an  
7 at-risk-youth)) a kid at hope petition, the right to submit an  
8 application for admission of their child to a treatment facility for  
9 alcohol, chemical dependency, or mental health treatment, and the right  
10 to file a guardianship petition; and (f) notify all parties, including  
11 the department, of their right to present evidence at the fact-finding  
12 hearing.

13 (2) Upon filing of a ((child)) kid at hope in need of services  
14 petition, the child may be placed, if not already placed, by the  
15 department in a crisis residential center, foster family home, group  
16 home facility licensed under chapter 74.15 RCW, or any other suitable  
17 residence other than a HOPE center to be determined by the department.  
18 The court may place a child in a crisis residential center for a  
19 temporary out-of-home placement as long as the requirements of RCW  
20 13.32A.125 are met.

21 (3) If the child has been placed in a foster family home or group  
22 care facility under chapter 74.15 RCW, the child shall remain there, or  
23 in any other suitable residence as determined by the department,  
24 pending resolution of the petition by the court. Any placement may be  
25 reviewed by the court within three judicial days upon the request of  
26 the juvenile or the juvenile's parent.

27 **Sec. 27.** RCW 13.32A.170 and 2000 c 123 s 20 are each amended to  
28 read as follows:

29 (1) The court shall hold a fact-finding hearing to consider a  
30 proper ((child)) kid at hope in need of services petition, giving due  
31 weight to the intent of the legislature that families have the right to  
32 place reasonable restrictions and rules upon their children,  
33 appropriate to the individual child's developmental level. The court  
34 may appoint legal counsel and/or a guardian ad litem to represent the  
35 child and advise parents of their right to be represented by legal  
36 counsel. At the commencement of the hearing, the court shall advise

1 the parents of their rights as set forth in RCW 13.32A.160(1). If the  
2 court approves or denies a ((child)) kid at hope in need of services  
3 petition, a written statement of the reasons must be filed.

4 (2) The court may approve an order stating that the child shall be  
5 placed in a residence other than the home of his or her parent only if  
6 it is established by a preponderance of the evidence, including a  
7 departmental recommendation for approval or dismissal of the petition,  
8 that:

9 (a) The child is a ((child)) kid at hope in need of services as  
10 defined in RCW 13.32A.030(5);

11 (b) If the petitioner is a child, he or she has made a reasonable  
12 effort to resolve the conflict;

13 (c) Reasonable efforts have been made to prevent or eliminate the  
14 need for removal of the child from the child's home and to make it  
15 possible for the child to return home; and

16 (d) A suitable out-of-home placement resource is available.

17 The court may not grant a petition filed by the child or the  
18 department if it is established that the petition is based only upon a  
19 dislike of reasonable rules or reasonable discipline established by the  
20 parent.

21 The court may not grant the petition if the child is the subject of  
22 a proceeding under chapter 13.34 RCW.

23 (3) Following the fact-finding hearing the court shall: (a)  
24 Approve a ((child)) kid at hope in need of services petition and, if  
25 appropriate, enter a temporary out-of-home placement for a period not  
26 to exceed fourteen days pending approval of a disposition decision to  
27 be made under RCW 13.32A.179(2); (b) approve ((an-at-risk-youth)) a kid  
28 at hope petition filed by the parents and dismiss the ((child)) kid at  
29 hope in need of services petition; or (c) dismiss the petition.

30 At any time the court may order the department to review the case  
31 to determine whether the case is appropriate for a dependency petition  
32 under chapter 13.34 RCW.

33 **Sec. 28.** RCW 13.32A.179 and 2000 c 123 s 21 are each amended to  
34 read as follows:

35 (1) A disposition hearing shall be held no later than fourteen days  
36 after the approval of the temporary out-of-home placement. The

1 parents, child, and department shall be notified by the court of the  
2 time and place of the hearing.

3 (2) At the conclusion of the disposition hearing, the court may:  
4 (a) Reunite the family and dismiss the petition; (b) approve (~~an at-~~  
5 ~~risk youth~~) a kid at hope petition filed by the parents and dismiss  
6 the (~~child~~) kid at hope in need of services petition; (c) approve an  
7 out-of-home placement requested in the (~~child~~) kid at hope in need of  
8 services petition by the parents; or (d) order an out-of-home placement  
9 at the request of the child or the department not to exceed ninety  
10 days.

11 At any time the court may order the department to review the matter  
12 for purposes of filing a dependency petition under chapter 13.34 RCW.  
13 Whether or not the court approves or orders an out-of-home placement,  
14 the court may also order any conditions of supervision as set forth in  
15 RCW 13.32A.196(3).

16 (3) The court may only enter an order under subsection (2)(d) of  
17 this section if it finds by clear, cogent, and convincing evidence  
18 that: (a)(i) The order is in the best interest of the family; (ii) the  
19 parents have not requested an out-of-home placement; (iii) the parents  
20 have not exercised any other right listed in RCW 13.32A.160(1)(e); (iv)  
21 the child has made reasonable efforts to resolve the problems that led  
22 to the filing of the petition; (v) the problems cannot be resolved by  
23 delivery of services to the family during continued placement of the  
24 child in the parental home; (vi) reasonable efforts have been made to  
25 prevent or eliminate the need for removal of the child from the child's  
26 home and to make it possible for the child to return home; and (vii) a  
27 suitable out-of-home placement resource is available; (b)(i) the order  
28 is in the best interest of the child; and (ii) the parents are  
29 unavailable; or (c) the parent's actions cause an imminent threat to  
30 the child's health or safety.

31 (4) The court may order the department to submit a dispositional  
32 plan if such a plan would assist the court in ordering a suitable  
33 disposition in the case. The plan, if ordered, shall address the needs  
34 of the child, and the perceived needs of the parents if the order was  
35 entered under subsection (2)(d) of this section or if specifically  
36 agreed to by the parents. If the parents do not agree or the order was  
37 not entered under subsection (2)(d) of this section the plan may only  
38 make recommendations regarding services in which the parents may



1 voluntarily participate. If the court orders the department to prepare  
2 a plan, the department shall provide copies of the plan to the parent,  
3 the child, and the court. If the parties or the court desire the  
4 department to be involved in any future proceedings or case plan  
5 development, the department shall be provided with timely notification  
6 of all court hearings.

7 (5) A child who fails to comply with a court order issued under  
8 this section shall be subject to contempt proceedings, as provided in  
9 this chapter, but only if the noncompliance occurs within one year  
10 after the entry of the order.

11 (6) After the court approves or orders an out-of-home placement,  
12 the parents or the department may request, and the court may grant,  
13 dismissal of the ((child)) kid at home in need of services proceeding  
14 when it is not feasible for the department to provide services due to  
15 one or more of the following circumstances:

16 (a) The child has been absent from court approved placement for  
17 thirty consecutive days or more;

18 (b) The parents or the child, or all of them, refuse to cooperate  
19 in available, appropriate intervention aimed at reunifying the family;  
20 or

21 (c) The department has exhausted all available and appropriate  
22 resources that would result in reunification.

23 (7) The court shall dismiss a placement made under subsection  
24 (2)(c) of this section upon the request of the parents.

25 **Sec. 29.** RCW 13.32A.190 and 1996 c 133 s 25 are each amended to  
26 read as follows:

27 (1) Upon making a dispositional order under RCW 13.32A.179, the  
28 court shall schedule the matter on the calendar for review within three  
29 months, advise the parties of the date thereof, appoint legal counsel  
30 and/or a guardian ad litem to represent the child at the review  
31 hearing, advise parents of their right to be represented by legal  
32 counsel at the review hearing, and notify the parties of their rights  
33 to present evidence at the hearing. Where resources are available, the  
34 court shall encourage the parent and child to participate in programs  
35 for reconciliation of their conflict.

36 (2) At the review hearing, the court shall approve or disapprove  
37 the continuation of the dispositional plan in accordance with this

1 chapter. The court shall determine whether reasonable efforts have  
2 been made to reunify the family and make it possible for the child to  
3 return home. The court shall discontinue the placement and order that  
4 the child return home if the court has reasonable grounds to believe  
5 that the parents have made reasonable efforts to resolve the conflict  
6 and the court has reason to believe that the child's refusal to return  
7 home is capricious. If out-of-home placement is continued, the court  
8 may modify the dispositional plan.

9 (3) Out-of-home placement may not be continued past one hundred  
10 eighty days from the day the review hearing commenced. The court shall  
11 order the child to return to the home of the parent at the expiration  
12 of the placement. If an out-of-home placement is disapproved prior to  
13 one hundred eighty days, the court shall enter an order requiring the  
14 child to return to the home of the child's parent.

15 (4) The parents and the department may request, and the juvenile  
16 court may grant, dismissal of an out-of-home placement order when it is  
17 not feasible for the department to provide services due to one or more  
18 of the following circumstances:

19 (a) The child has been absent from court approved placement for  
20 thirty consecutive days or more;

21 (b) The parents or the child, or all of them, refuse to cooperate  
22 in available, appropriate intervention aimed at reunifying the family;  
23 or

24 (c) The department has exhausted all available and appropriate  
25 resources that would result in reunification.

26 (5) The court shall terminate a placement made under this section  
27 upon the request of a parent unless the placement is made pursuant to  
28 RCW 13.32A.179(3).

29 (6) The court may dismiss a ((child)) kid at hope in need of  
30 services petition filed by a parent at any time if the court finds good  
31 cause to believe that continuation of out-of-home placement would serve  
32 no useful purpose.

33 (7) The court shall dismiss a ((child)) kid at hope in need of  
34 services proceeding if the child is the subject of a proceeding under  
35 chapter 13.34 RCW.

36 **Sec. 30.** RCW 13.32A.191 and 2000 c 123 s 22 are each amended to  
37 read as follows:

1 (1) A child's parent may file with the juvenile court a petition in  
2 the interest of a child alleged to be (~~(an at-risk youth)~~) a kid at  
3 hope. The department shall, when requested, assist the parent in  
4 filing the petition. The petition shall be filed in the county where  
5 the petitioner resides. The petition shall set forth the name, age,  
6 and residence of the child and the names and residence of the child's  
7 parents and shall allege that:

8 (a) The child is (~~(an at-risk youth)~~) a kid at hope;

9 (b) The petitioner has the right to legal custody of the child;

10 (c) Court intervention and supervision are necessary to assist the  
11 parent to maintain the care, custody, and control of the child; and

12 (d) Alternatives to court intervention have been attempted or there  
13 is good cause why such alternatives have not been attempted.

14 (2) The petition shall set forth facts that support the allegations  
15 in this section and shall generally request relief available under this  
16 chapter. The petition need not specify any proposed disposition  
17 following adjudication of the petition. The filing of (~~(an at-risk~~  
18 ~~youth)~~) a kid at hope petition is not dependent upon the court's having  
19 obtained any prior jurisdiction over the child or his or her parent and  
20 confers upon the court the special jurisdiction to assist the parent in  
21 maintaining parental authority and responsibility for the child.

22 (3) A petition may not be filed if a dependency petition is pending  
23 under chapter 13.34 RCW.

24 **Sec. 31.** RCW 13.32A.192 and 1997 c 146 s 8 are each amended to  
25 read as follows:

26 (1) When a proper (~~(at-risk youth)~~) kid at hope petition is filed  
27 by a child's parent under this chapter, the juvenile court shall:

28 (a)(i) Schedule a fact-finding hearing to be held: (A) For a child  
29 who resides in a place other than his or her parent's home and other  
30 than an out-of-home placement, within five calendar days unless the  
31 last calendar day is a Saturday, Sunday, or holiday, in which case the  
32 hearing shall be held on the preceding judicial day; or (B) for a child  
33 living at home or in an out-of-home placement, within ten days; and  
34 (ii) notify the parent and the child of such date;

35 (b) Notify the parent of the right to be represented by counsel at  
36 the parent's own expense;

37 (c) Appoint legal counsel for the child;

1 (d) Inform the child and his or her parent of the legal  
2 consequences of the court finding the child to be (~~(an at-risk youth)~~)  
3 a kid at hope; and

4 (e) Notify the parent and the child of their rights to present  
5 evidence at the fact-finding hearing.

6 (2) Unless out-of-home placement of the child is otherwise  
7 authorized or required by law, the child shall reside in the home of  
8 his or her parent or in an out-of-home placement requested by the  
9 parent or child and approved by the parent.

10 (3) If upon sworn written or oral declaration of the petitioning  
11 parent, the court has reason to believe that a child has willfully and  
12 knowingly violated a court order issued pursuant to subsection (2) of  
13 this section, the court may issue an order directing law enforcement to  
14 take the child into custody and place the child in a juvenile detention  
15 facility or in a secure facility within a crisis residential center.  
16 If the child is placed in detention, a review shall be held as provided  
17 in RCW 13.32A.065.

18 (4) If both a (~~(child)~~) kid at hope in need of services petition  
19 and (~~(an at-risk youth)~~) a kid at hope petition have been filed with  
20 regard to the same child, the petitions and proceedings shall be  
21 consolidated as (~~(an at-risk youth)~~) a kid at hope petition. Pending  
22 a fact-finding hearing regarding the petition, the child may be placed  
23 in the parent's home or in an out-of-home placement if not already  
24 placed in a temporary out-of-home placement pursuant to a (~~(child)~~) kid  
25 at hope in need of services petition. The child or the parent may  
26 request a review of the child's placement including a review of any  
27 court order requiring the child to reside in the parent's home.

28 **Sec. 32.** RCW 13.32A.194 and 2000 c 123 s 23 are each amended to  
29 read as follows:

30 (1) The court shall hold a fact-finding hearing to consider a  
31 proper (~~(at-risk youth)~~) kid at hope petition. The court shall grant  
32 the petition and enter an order finding the child to be (~~(an at-risk~~  
33 ~~youth)~~) a kid at hope if the allegations in the petition are  
34 established by a preponderance of the evidence, unless the child is the  
35 subject of a proceeding under chapter 13.34 RCW. If the petition is  
36 granted, the court shall enter an order requiring the child to reside

1 in the home of his or her parent or in an out-of-home placement as  
2 provided in RCW 13.32A.192(2).

3 (2) The court may order the department to submit a dispositional  
4 plan if such a plan would assist the court in ordering a suitable  
5 disposition in the case. If the court orders the department to prepare  
6 a plan, the department shall provide copies of the plan to the parent,  
7 the child, and the court. If the parties or the court desire the  
8 department to be involved in any future proceedings or case plan  
9 development, the department shall be provided timely notification of  
10 all court hearings.

11 (3) If the court grants or denies (~~(an at-risk youth)~~) a kid at  
12 hope petition, a statement of the written reasons shall be entered into  
13 the records. If the court denies (~~(an at-risk youth)~~) a kid at hope  
14 petition, the court shall verbally advise the parties that the child is  
15 required to remain within the care, custody, and control of his or her  
16 parent.

17 **Sec. 33.** RCW 13.32A.196 and 2000 c 123 s 24 are each amended to  
18 read as follows:

19 (1) A dispositional hearing shall be held no later than fourteen  
20 days after the fact-finding hearing. Each party shall be notified of  
21 the time and date of the hearing.

22 (2) At the dispositional hearing regarding an adjudicated (~~(at-risk~~  
23 ~~youth)~~) kid at hope, the court shall consider the recommendations of  
24 the parties and the recommendations of any dispositional plan submitted  
25 by the department. The court may enter a dispositional order that will  
26 assist the parent in maintaining the care, custody, and control of the  
27 child and assist the family to resolve family conflicts or problems.

28 (3) The court may set conditions of supervision for the child that  
29 include:

- 30 (a) Regular school attendance;
- 31 (b) Counseling;
- 32 (c) Participation in a substance abuse or mental health outpatient  
33 treatment program;
- 34 (d) Reporting on a regular basis to the department or any other  
35 designated person or agency; and
- 36 (e) Any other condition the court deems an appropriate condition of

1 supervision including but not limited to: Employment, participation in  
2 an anger management program, and refraining from using alcohol or  
3 drugs.

4 (4) No dispositional order or condition of supervision ordered by  
5 a court pursuant to this section shall include involuntary commitment  
6 of a child for substance abuse or mental health treatment.

7 (5) The court may order the parent to participate in counseling  
8 services or any other services for the child requiring parental  
9 participation. The parent shall cooperate with the court-ordered case  
10 plan and shall take necessary steps to help implement the case plan.  
11 The parent shall be financially responsible for costs related to the  
12 court-ordered plan; however, this requirement shall not affect the  
13 eligibility of the parent or child for public assistance or other  
14 benefits to which the parent or child may otherwise be entitled.

15 (6) The parent may request dismissal of ((~~an at-risk youth~~)) a kid  
16 at hope proceeding or out-of-home placement at any time. Upon such a  
17 request, the court shall dismiss the matter and cease court supervision  
18 of the child unless: (a) A contempt action is pending in the case; (b)  
19 a petition has been filed under RCW 13.32A.150 and a hearing has not  
20 yet been held under RCW 13.32A.179; or (c) an order has been entered  
21 under RCW 13.32A.179(3) and the court retains jurisdiction under that  
22 subsection. The court may retain jurisdiction over the matter for the  
23 purpose of concluding any pending contempt proceedings, including the  
24 full satisfaction of any penalties imposed as a result of a contempt  
25 finding.

26 (7) The court may order the department to monitor compliance with  
27 the dispositional order, assist in coordinating the provision of court-  
28 ordered services, and submit reports at subsequent review hearings  
29 regarding the status of the case.

30 **Sec. 34.** RCW 13.32A.197 and 1996 c 133 s 3 are each amended to  
31 read as follows:

32 (1) In a disposition hearing, after a finding that a child is a  
33 ((~~child~~)) kid at hope in need of services or ((~~an at-risk youth~~)) a kid  
34 at hope, the court may adopt the additional orders authorized under  
35 this section if it finds that the child involved in those proceedings  
36 is not eligible for inpatient treatment for a mental health or  
37 substance abuse condition and requires specialized treatment. The

1 court may order that a child be placed in a staff secure facility,  
2 other than a crisis residential center, that will provide for the  
3 child's participation in a program designed to remedy his or her  
4 behavioral difficulties or needs. The court may not enter this order  
5 unless, at the disposition hearing, it finds that the placement is  
6 clearly necessary to protect the child and that a less restrictive  
7 order would be inadequate to protect the child, given the child's age,  
8 maturity, propensity to run away from home, past exposure to serious  
9 risk when the child ran away from home, and possible future exposure to  
10 serious risk should the child run away from home again.

11 (2) The order shall require periodic court review of the placement,  
12 with the first review hearing conducted not more than thirty days after  
13 the date of the placement. At each review hearing the court shall  
14 advise the parents of their rights under RCW 13.32A.160(1), review the  
15 progress of the child, and determine whether the orders are still  
16 necessary for the protection of the child or a less restrictive  
17 placement would be adequate. The court shall modify its orders as it  
18 finds necessary to protect the child. Reviews of orders adopted under  
19 this section are subject to the review provisions under RCW 13.32A.190  
20 and (~~(13.32.198 [13.32A.198])~~) 13.32A.198.

21 (3) Placements in staff secure facilities under this section shall  
22 be limited to children who meet the statutory definition of a (~~child~~)  
23 kid at hope in need of services or (~~an at-risk youth~~) a kid at hope  
24 as defined in RCW 13.32A.030.

25 (4) State funds may only be used to pay for placements under this  
26 section if, and to the extent that, such funds are appropriated to  
27 expressly pay for them.

28 **Sec. 35.** RCW 13.32A.198 and 1990 c 276 s 15 are each amended to  
29 read as follows:

30 (1) Upon making a disposition regarding an adjudicated (~~at-risk~~  
31 ~~youth~~) kid at hope, the court shall schedule the matter on the  
32 calendar for review within three months, advise the parties of the date  
33 thereof, appoint legal counsel for the child, advise the parent of the  
34 right to be represented by legal counsel at the review hearing at the  
35 parent's own expense, and notify the parties of their rights to present  
36 evidence at the hearing.

1 (2) At the review hearing, the court shall approve or disapprove  
2 the continuation of court supervision in accordance with the goal of  
3 assisting the parent to maintain the care, custody, and control of the  
4 child. The court shall determine whether the parent and child are  
5 complying with the dispositional plan. If court supervision is  
6 continued, the court may modify the dispositional plan.

7 (3) Court supervision of the child may not be continued past one  
8 hundred eighty days from the day the review hearing commenced unless  
9 the court finds, and the parent agrees, that there are compelling  
10 reasons for an extension of supervision. Any extension granted  
11 pursuant to this subsection shall not exceed ninety days.

12 (4) The court may dismiss (~~(an at risk youth)~~) a kid at hope  
13 proceeding at any time if the court finds good cause to believe that  
14 continuation of court supervision would serve no useful purpose or that  
15 the parent is not cooperating with the court-ordered case plan. The  
16 court shall dismiss (~~(an at risk youth)~~) a kid at hope proceeding if  
17 the child is the subject of a proceeding under chapter 13.34 RCW.

18 **Sec. 36.** RCW 13.32A.200 and 2007 c 213 s 1 are each amended to  
19 read as follows:

20 (1) All hearings pursuant to this chapter may be conducted at any  
21 time or place within the county of the residence of the parent and such  
22 cases shall be heard in conjunction with the business of any other  
23 division of the superior court, except as provided in subsections (2)  
24 and (3) of this section.

25 (2) The public shall be excluded from a (~~(child)~~) kid at hope in  
26 need of services hearing if the judicial officer finds that it is in  
27 the best interest of the child.

28 (3) The public shall be excluded from (~~(an at risk youth)~~) a kid at  
29 hope hearing if:

30 (a) The judicial officer finds that it is in the best interest of  
31 the child; or

32 (b) Either parent requests that the public be excluded from the  
33 hearing.

34 (4) At the beginning of the (~~(at risk youth)~~) kid at hope hearing,  
35 the judicial officer shall notify the parents that either parent has  
36 the right to request that the public be excluded from the (~~(at risk~~  
37 ~~youth)~~) kid at hope hearing.



1 (5) If the public is excluded from hearings under subsection (2) or  
2 (3) of this section, only such persons who are found by the court to  
3 have a direct interest in the case or the work of the court shall be  
4 admitted to the proceedings.

5 **Sec. 37.** RCW 13.32A.205 and 1995 c 312 s 32 are each amended to  
6 read as follows:

7 No superior court may refuse to accept for filing a properly  
8 completed and presented ((child)) kid at hope in need of services  
9 petition or ((an-at-risk-youth)) a kid at hope petition. To be  
10 properly presented, the petitioner shall verify that the family  
11 assessment required under RCW 13.32A.150 has been completed. In the  
12 event of an improper refusal that is appealed and reversed, the  
13 petitioner shall be awarded actual damages, costs, and attorneys' fees.

14 **Sec. 38.** RCW 13.32A.250 and 2000 c 162 s 14 are each amended to  
15 read as follows:

16 (1) In all ((child)) kid at hope in need of services proceedings  
17 and ((at-risk-youth)) kid at hope proceedings, the court shall verbally  
18 notify the parents and the child of the possibility of a finding of  
19 contempt for failure to comply with the terms of a court order entered  
20 pursuant to this chapter. Except as otherwise provided in this  
21 section, the court shall treat the parents and the child equally for  
22 the purposes of applying contempt of court processes and penalties  
23 under this section.

24 (2) Failure by a party to comply with an order entered under this  
25 chapter is a civil contempt of court as provided in RCW 7.21.030(2)(e),  
26 subject to the limitations of subsection (3) of this section.

27 (3) The court may impose remedial sanctions including a fine of up  
28 to one hundred dollars and confinement for up to seven days, or both  
29 for contempt of court under this section.

30 (4) A child placed in confinement for contempt under this section  
31 shall be placed in confinement only in a secure juvenile detention  
32 facility operated by or pursuant to a contract with a county.

33 (5) A motion for contempt may be made by a parent, a child,  
34 juvenile court personnel, or by any public agency, organization, or  
35 person having custody of the child under a court order adopted pursuant  
36 to this chapter.

1 (6) Whenever the court finds probable cause to believe, based upon  
2 consideration of a motion for contempt and the information set forth in  
3 a supporting declaration, that a child has violated a placement order  
4 entered under this chapter, the court may issue an order directing law  
5 enforcement to pick up and take the child to detention. The order may  
6 be entered ex parte without prior notice to the child or other parties.  
7 Following the child's admission to detention, a detention review  
8 hearing must be held in accordance with RCW 13.32A.065.

9 **Sec. 39.** RCW 13.40.460 and 2003 c 229 s 1 are each amended to read  
10 as follows:

11 The secretary, assistant secretary, or the secretary's designee  
12 shall manage and administer the department's juvenile rehabilitation  
13 responsibilities, including but not limited to the operation of all  
14 state institutions or facilities used for juvenile rehabilitation.

15 The secretary or assistant secretary shall:

16 (1) Prepare a biennial budget request sufficient to meet the  
17 confinement and rehabilitative needs of the juvenile rehabilitation  
18 program, as forecast by the office of financial management;

19 (2) Create by rule a formal system for inmate classification. This  
20 classification system shall consider:

21 (a) Public safety;

22 (b) Internal security and staff safety;

23 (c) Rehabilitative resources both within and outside the  
24 department;

25 (d) An assessment of each offender's risk of sexually aggressive  
26 behavior as provided in RCW 13.40.470; and

27 (e) An assessment of each offender's vulnerability to sexually  
28 aggressive behavior as provided in RCW 13.40.470;

29 (3) Develop agreements with local jurisdictions to develop regional  
30 facilities with a variety of custody levels;

31 (4) Adopt rules establishing effective disciplinary policies to  
32 maintain order within institutions;

33 (5) Develop a comprehensive diagnostic evaluation process to be  
34 used at intake, including but not limited to evaluation for substance  
35 addiction or abuse, literacy, learning disabilities, fetal alcohol  
36 syndrome or effect, attention deficit disorder, and mental health;

37 (6) Develop placement criteria:

1 (a) To avoid assigning youth who present a moderate or high risk of  
2 sexually aggressive behavior to the same sleeping quarters as youth  
3 assessed as vulnerable to sexual victimization under RCW  
4 13.40.470(1)(c); and

5 (b) To avoid placing a juvenile offender on parole status who has  
6 been assessed as a moderate to high risk for sexually aggressive  
7 behavior in a department community residential program with another  
8 child who is: (i) Dependent under chapter 13.34 RCW, or (~~an at-risk~~  
9 ~~youth~~) a kid at hope or (~~child~~) a kid at hope in need of services  
10 under chapter 13.32A RCW; and (ii) not also a juvenile offender on  
11 parole status;

12 (7) Develop a plan to implement, by July 1, 1995:

13 (a) Substance abuse treatment programs for all state juvenile  
14 rehabilitation facilities and institutions;

15 (b) Vocational education and instruction programs at all state  
16 juvenile rehabilitation facilities and institutions; and

17 (c) An educational program to establish self-worth and  
18 responsibility in juvenile offenders. This educational program shall  
19 emphasize instruction in character-building principles such as:  
20 Respect for self, others, and authority; victim awareness;  
21 accountability; work ethics; good citizenship; and life skills; and

22 (8)(a) The juvenile rehabilitation administration shall develop  
23 uniform policies related to custodial assaults consistent with RCW  
24 72.01.045 and 9A.36.100 that are to be followed in all juvenile  
25 rehabilitation administration facilities; and

26 (b) The juvenile rehabilitation administration will report assaults  
27 in accordance with the policies developed in (a) of this subsection.

28 **Sec. 40.** RCW 28A.225.160 and 2009 c 380 s 3 are each amended to  
29 read as follows:

30 (1) Except as provided in subsection (2) of this section and  
31 otherwise provided by law, it is the general policy of the state that  
32 the common schools shall be open to the admission of all persons who  
33 are five years of age and less than twenty-one years residing in that  
34 school district. Except as otherwise provided by law or rules adopted  
35 by the superintendent of public instruction, districts may establish  
36 uniform entry qualifications, including but not limited to birth date  
37 requirements, for admission to kindergarten and first grade programs of

1 the common schools. Such rules may provide for exceptions based upon  
2 the ability, or the need, or both, of an individual student. For the  
3 purpose of complying with any rule adopted by the superintendent of  
4 public instruction that authorizes a preadmission screening process as  
5 a prerequisite to granting exceptions to the uniform entry  
6 qualifications, a school district may collect fees to cover expenses  
7 incurred in the administration of any preadmission screening process:  
8 PROVIDED, That in so establishing such fee or fees, the district shall  
9 adopt rules for waiving and reducing such fees in the cases of those  
10 persons whose families, ~~((by reason of their low income,))~~ including  
11 kids at hope, who for the purpose of this section are families, who  
12 would have difficulty in paying the entire amount of such fees because  
13 of their low income.

14 (2) A student who meets the definition of a child of a military  
15 family in transition under section 1, Article II of this act shall be  
16 permitted to continue enrollment at the grade level in the common  
17 schools commensurate with the grade level of the student when attending  
18 school in the sending state as defined in section 1, Article II of this  
19 act, regardless of age or birthdate requirements.

20 **Sec. 41.** RCW 28A.235.140 and 1993 c 333 s 1 are each amended to  
21 read as follows:

22 (1) ~~((For the purposes of))~~ The definitions in this subsection  
23 apply throughout this section~~((+))~~ unless the context clearly requires  
24 otherwise.

25 (a) "Free or reduced-price lunches" means lunches served by a  
26 school district that qualify for federal reimbursement as free or  
27 reduced-price lunches under the national school lunch program.

28 (b) "Kids at hope" means students from low-income families.

29 (c) "School breakfast program" means a program meeting federal  
30 requirements defined in 42 U.S.C. Sec. 1773.

31 ~~((+))~~ (d) "Severe-need school" means a school that qualifies for  
32 a severe-need school reimbursement rate from federal funds for school  
33 breakfasts served to ~~((children from low income families))~~ kids at  
34 hope.

35 (2) School districts shall be required to develop and implement  
36 plans for a school breakfast program in severe-need schools, pursuant  
37 to the schedule in this section. For the second year prior to the

1 implementation of the district's school breakfast program, and for each  
2 subsequent school year, each school district shall submit data enabling  
3 the superintendent of public instruction to determine which schools  
4 within the district will qualify as severe-need schools. In developing  
5 its plan, each school district shall consult with an advisory committee  
6 including school staff and community members appointed by the board of  
7 directors of the district.

8 (3) Using district-wide data on school lunch participation during  
9 the 1988-89 school year, the superintendent of public instruction shall  
10 adopt a schedule for implementation of school breakfast programs in  
11 severe-need schools as follows:

12 (a) School districts where at least forty percent of lunches served  
13 to students are free or reduced-price lunches shall submit a plan for  
14 implementation of a school breakfast program in severe-need schools to  
15 the superintendent of public instruction no later than July 1, 1990.  
16 Each such district shall implement a school breakfast program in all  
17 severe-need schools no later than the second day of school in the  
18 1990-91 school year and in each school year thereafter.

19 (b) School districts where at least twenty-five but less than forty  
20 percent of lunches served to students are free or reduced-price lunches  
21 shall submit a plan for implementation of a school breakfast program in  
22 severe-need schools to the superintendent of public instruction no  
23 later than July 1, 1991. Each such district shall implement a school  
24 breakfast program in all severe-need schools no later than the second  
25 day of school in the 1991-92 school year and in each school year  
26 thereafter.

27 (c) School districts where less than twenty-five percent of lunches  
28 served to students are free or reduced-price lunches shall submit a  
29 plan for implementation of a school breakfast program in severe-need  
30 schools to the superintendent of public instruction no later than July  
31 1, 1992. Each such district shall implement a school breakfast program  
32 in all severe-need schools no later than the second day of school in  
33 the 1992-93 school year and in each school year thereafter.

34 (d) School districts that did not offer a school lunch program in  
35 the 1988-89 school year are encouraged to implement such a program and  
36 to provide a school breakfast program in all severe-need schools when  
37 eligible.

1 (4) The requirements in this section shall lapse if the federal  
2 reimbursement rate for breakfasts served in severe-need schools is  
3 eliminated.

4 (5) Students who do not meet family-income criteria for free  
5 breakfasts shall be eligible to participate in the school breakfast  
6 programs established under this section, and school districts may  
7 charge for the breakfasts served to these students. Requirements that  
8 school districts have school breakfast programs under this section  
9 shall not create or imply any state funding obligation for these costs.  
10 The legislature does not intend to include these programs within the  
11 state's obligation for basic education funding under Article IX of the  
12 Constitution.

13 **Sec. 42.** RCW 28A.235.160 and 2005 c 287 s 1 are each amended to  
14 read as follows:

15 (1) (~~For the purposes of~~) The definitions in this subsection  
16 apply throughout this section(÷) unless the context clearly requires  
17 otherwise.

18 (a) "Free or reduced-price lunch" means a lunch served by a school  
19 district participating in the national school lunch program to a  
20 (~~student~~) kid at hope qualifying for national school lunch program  
21 benefits based on family size-income criteria.

22 (b) "School lunch program" means a meal program meeting the  
23 requirements defined by the superintendent of public instruction under  
24 subsection (2)(b) of this section.

25 (c) "School breakfast program" means a program meeting federal  
26 requirements defined in 42 U.S.C. Sec. 1773.

27 (d) "Severe-need school" means a school that qualifies for a  
28 severe-need school reimbursement rate from federal funds for school  
29 breakfasts served to (~~children from low income families~~) kids at  
30 hope.

31 (e) "Summer food service program" means a meal or snack program  
32 meeting the requirements defined by the superintendent of public  
33 instruction under subsection (4) of this section.

34 (2) School districts shall implement a school lunch program in each  
35 public school in the district in which educational services are  
36 provided to children in any of the grades kindergarten through four and  
37 in which twenty-five percent or more of the enrolled students qualify

1 for a free or reduced-price lunch. In developing and implementing its  
2 school lunch program, each school district may consult with an advisory  
3 committee including school staff, community members, and others  
4 appointed by the board of directors of the district.

5 (a) Applications to determine free or reduced-price lunch  
6 eligibility shall be distributed and collected for all households of  
7 children in schools containing any of the grades kindergarten through  
8 four and in which there are no United States department of agriculture  
9 child nutrition programs. The applications that are collected must be  
10 reviewed to determine eligibility for free or reduced-price lunches.  
11 Nothing in this section shall be construed to require completion or  
12 submission of the application by a parent or guardian.

13 (b) Using the most current available school data on free and  
14 reduced-price lunch eligibility, the superintendent of public  
15 instruction shall adopt a schedule for implementation of school lunch  
16 programs at each school required to offer such a program under  
17 subsection (2) of this section as follows:

18 (i) Schools not offering a school lunch program and in which  
19 twenty-five percent or more of the enrolled students are eligible for  
20 free or reduced-price lunch shall implement a school lunch program not  
21 later than the second day of school in the 2005-06 school year and in  
22 each school year thereafter.

23 (ii) The superintendent shall establish minimum standards defining  
24 the lunch meals to be served, and such standards must be sufficient to  
25 qualify the meals for any available federal reimbursement.

26 (iii) Nothing in this section shall be interpreted to prevent a  
27 school from implementing a school lunch program earlier than the school  
28 is required to do so.

29 (3) To extent funds are appropriated for this purpose, each school  
30 district shall implement a school breakfast program in each school  
31 where more than forty percent of students eligible to participate in  
32 the school lunch program qualify for free or reduced-price meal  
33 reimbursement by the school year 2005-06. For the second year before  
34 the implementation of the district's school breakfast program, and for  
35 each subsequent school year, each school district shall submit data  
36 enabling the superintendent of public instruction to determine which  
37 schools within the district will qualify for this requirement. Schools  
38 where lunch programs start after the 2003-04 school year, where forty

1 percent of students qualify for free or reduced-price meals, must begin  
2 school breakfast programs the second year following the start of a  
3 lunch program.

4 (4) Each school district shall implement a summer food service  
5 program in each public school in the district in which a summer program  
6 of academic, enrichment, or remedial services is provided and in which  
7 fifty percent or more of the children enrolled in the school qualify  
8 for free or reduced-price lunch. However, the superintendent of public  
9 instruction shall develop rules establishing criteria to permit an  
10 exemption for a school that can demonstrate availability of an adequate  
11 alternative summer feeding program. Sites providing meals should be  
12 open to all children in the area, unless a compelling case can be made  
13 to limit access to the program. The superintendent of public  
14 instruction shall adopt a definition of compelling case and a schedule  
15 for implementation as follows:

16 (a) Beginning the summer of 2005 if the school currently offers a  
17 school breakfast or lunch program; or

18 (b) Beginning the summer following the school year during which a  
19 school implements a school lunch program under subsection (2)(b) of  
20 this section.

21 (5) Schools not offering a breakfast or lunch program may meet the  
22 meal service requirements of subsections (2)(b) and (4) of this section  
23 through any of the following:

24 (a) Preparing the meals on-site;

25 (b) Receiving the meals from another school that participates in a  
26 United States department of agriculture child nutrition program; or

27 (c) Contracting with a nonschool entity that is a licensed food  
28 service establishment under RCW 69.07.010.

29 (6) Requirements that school districts have a school lunch,  
30 breakfast, or summer nutrition program under this section shall not  
31 create or imply any state funding obligation for these costs. The  
32 legislature does not intend to include these programs within the  
33 state's obligation for basic education funding under Article IX of the  
34 state Constitution.

35 (7) The requirements in this section shall lapse if the federal  
36 reimbursement for any school breakfasts, lunches, or summer food  
37 service programs is eliminated.



1 (8) School districts may be exempted from the requirements of this  
2 section by showing good cause why they cannot comply with the office of  
3 the superintendent of public instruction to the extent that such  
4 exemption is not in conflict with federal or state law. The process  
5 and criteria by which school districts are exempted shall be developed  
6 by the office of the superintendent of public instruction in  
7 consultation with representatives of school directors, school food  
8 service, community-based organizations and the Washington state PTA.

9 NEW SECTION. **Sec. 43.** A new section is added to chapter 28A.245  
10 RCW to read as follows:

11 For the purposes of this chapter, "kids at hope" means at-risk  
12 students.

13 **Sec. 44.** RCW 28A.245.040 and 2007 c 463 s 5 are each amended to  
14 read as follows:

15 Subject to available funding, skill centers shall provide access to  
16 late afternoon and evening sessions and summer school programs, to  
17 rural and high-density area students aligned with regionally identified  
18 high-demand occupations. When possible, the programs shall be  
19 specifically targeted for credit retrieval, dropout prevention and  
20 intervention for (~~at-risk students~~) kids at hope, and retrieval of  
21 dropouts. Skill centers that receive funding for these activities must  
22 participate in an evaluation that is designed to quantify results and  
23 identify best practices, collaborate with local community partners in  
24 providing a comprehensive program, and provide matching funds.

25 **Sec. 45.** RCW 28A.245.070 and 2008 c 170 s 203 are each amended to  
26 read as follows:

27 Skill centers may enter into agreements with one or more  
28 cooperating school districts to grant a high school diploma on behalf  
29 of the district so that students who are juniors and seniors have an  
30 opportunity to attend the skill center on a full-time basis without  
31 coenrollment at a district high school. To avoid competition with  
32 other high schools in the cooperating district, high school completion  
33 programs operated by skill centers shall be designed as dropout  
34 prevention and retrieval programs for (~~at-risk~~) kids at hope and  
35 credit-deficient students or for fifth-year seniors. A skill center

1 may use grant awards from the building bridges program under RCW  
2 28A.175.025 to develop high school completion programs as provided in  
3 this section.

4 **Sec. 46.** RCW 28A.300.360 and 1999 c 319 s 7 are each amended to  
5 read as follows:

6 The superintendent of public instruction shall provide, to the  
7 extent funds are appropriated, start-up grants for alternative programs  
8 and services that provide instruction and learning for kids at hope,  
9 which for the purposes of this section include truant, at-risk, and  
10 expelled students. Each grant application shall contain proposed  
11 performance indicators and an evaluation plan to measure the success of  
12 the program and its impact on improved student learning. Applications  
13 shall contain the applicant's plan for maintaining the program and  
14 services after the grant period.

15 **Sec. 47.** RCW 28A.300.440 and 2003 c 22 s 3 are each amended to  
16 read as follows:

17 (1) The natural science, wildlife, and environmental education  
18 grant program is hereby created, subject to the availability of funds  
19 in the natural science, wildlife, and environmental education  
20 partnership account. The program is created to promote proven and  
21 innovative natural science, wildlife, and environmental education  
22 programs that are fully aligned with the state's essential academic  
23 learning requirements, and includes but is not limited to instruction  
24 about renewable resources, responsible use of resources, and  
25 conservation.

26 (2) The superintendent of public instruction shall establish and  
27 publish funding criteria for environmental, natural science, wildlife,  
28 forestry, and agricultural education grants. The office of (~~the~~)  
29 the superintendent of public instruction shall involve a cross-section  
30 of stakeholder groups to develop socially, economically, and  
31 environmentally balanced funding criteria. These criteria shall be  
32 based on compliance with the essential academic learning requirements  
33 and use methods that encourage critical thinking. The criteria must  
34 also include environmental, natural science, wildlife, forestry, and  
35 agricultural education programs with one or more of the following  
36 features:

1 (a) Interdisciplinary approaches to environmental, natural science,  
2 wildlife, forestry, and agricultural issues;

3 (b) Programs that target underserved, (~~disadvantaged~~) kids at  
4 hope, and multicultural populations;

5 (c) Programs that reach out to schools across the state that would  
6 otherwise not have access to specialized environmental, natural  
7 science, wildlife, forestry, and agricultural education programs;

8 (d) Proven programs offered by innovative community partnerships  
9 designed to improve student learning and strengthen local communities.

10 (3) Eligible uses of grants include, but are not limited to:

11 (a) Continuing in-service and preservice training for educators  
12 with materials specifically developed to enable educators to teach  
13 essential academic learning requirements in a compelling and effective  
14 manner;

15 (b) Proven, innovative programs that align the basic subject areas  
16 of the common school curriculum in chapter 28A.230 RCW with the  
17 essential academic learning requirements; the basic subject areas  
18 should be integrated by using environmental education, natural science,  
19 wildlife, forestry, agricultural, and natural environment curricula to  
20 meet the needs of various learning styles; and

21 (c) Support and equipment needed for the implementation of the  
22 programs in this section.

23 (4) Grants may only be disbursed to nonprofit organizations exempt  
24 from income tax under section 501(c) of the federal internal revenue  
25 code that can provide matching funds or in-kind services.

26 (5) Grants may not be used for any partisan or political  
27 activities.

28 (6) For the purposes of this section, "kids at hope" means  
29 disadvantaged populations.

30 **Sec. 48.** RCW 28A.305.130 and 2009 c 548 s 502 are each amended to  
31 read as follows:

32 The purpose of the state board of education is to provide advocacy  
33 and strategic oversight of public education; implement a standards-  
34 based accountability framework that creates a unified system of  
35 increasing levels of support for schools in order to improve student  
36 academic achievement; provide leadership in the creation of a system  
37 that personalizes education for each student and respects diverse

1 cultures, abilities, and learning styles; and promote achievement of  
2 the goals of RCW 28A.150.210. In addition to any other powers and  
3 duties as provided by law, the state board of education shall:

4 (1) Hold regularly scheduled meetings at such time and place within  
5 the state as the board shall determine and may hold such special  
6 meetings as may be deemed necessary for the transaction of public  
7 business;

8 (2) Form committees as necessary to effectively and efficiently  
9 conduct the work of the board;

10 (3) Seek advice from the public and interested parties regarding  
11 the work of the board;

12 (4) For purposes of statewide accountability:

13 (a) Adopt and revise performance improvement goals in reading,  
14 writing, science, and mathematics, by subject and grade level, once  
15 assessments in these subjects are required statewide; academic and  
16 technical skills, as appropriate, in secondary career and technical  
17 education programs; and student attendance, as the board deems  
18 appropriate to improve student learning. The goals shall be consistent  
19 with student privacy protection provisions of RCW 28A.655.090(7) and  
20 shall not conflict with requirements contained in Title I of the  
21 federal elementary and secondary education act of 1965, or the  
22 requirements of the Carl D. Perkins vocational education act of 1998,  
23 each as amended. The goals may be established for all students((τ))  
24 and all kids at hope. "Kids at hope" includes the following:

25 (i) Economically disadvantaged students((τ));

26 (ii) Limited English proficient students((τ));

27 (iii) Students with disabilities((τ)); and

28 (iv) Students from disproportionately academically underachieving  
29 racial and ethnic backgrounds.

30 The board may establish school and school district goals addressing  
31 high school graduation rates and dropout reduction goals for students  
32 in grades seven through twelve. The board shall adopt the goals by  
33 rule. However, before each goal is implemented, the board shall  
34 present the goal to the education committees of the house of  
35 representatives and the senate for the committees' review and comment  
36 in a time frame that will permit the legislature to take statutory  
37 action on the goal if such action is deemed warranted by the  
38 legislature;

1 (b) Identify the scores students must achieve in order to meet the  
2 standard on the Washington assessment of student learning and, for high  
3 school students, to obtain a certificate of academic achievement. The  
4 board shall also determine student scores that identify levels of  
5 student performance below and beyond the standard. The board shall  
6 consider the incorporation of the standard error of measurement into  
7 the decision regarding the award of the certificates. The board shall  
8 set such performance standards and levels in consultation with the  
9 superintendent of public instruction and after consideration of any  
10 recommendations that may be developed by any advisory committees that  
11 may be established for this purpose. The initial performance standards  
12 and any changes recommended by the board in the performance standards  
13 for the tenth grade assessment shall be presented to the education  
14 committees of the house of representatives and the senate by November  
15 30th of the school year in which the changes will take place to permit  
16 the legislature to take statutory action before the changes are  
17 implemented if such action is deemed warranted by the legislature. The  
18 legislature shall be advised of the initial performance standards and  
19 any changes made to the elementary level performance standards and the  
20 middle school level performance standards;

21 (c) Annually review the assessment reporting system to ensure  
22 fairness, accuracy, timeliness, and equity of opportunity, especially  
23 with regard to schools with special circumstances and unique  
24 populations of students, and a recommendation to the superintendent of  
25 public instruction of any improvements needed to the system; and

26 (d) Include in the biennial report required under RCW 28A.305.035,  
27 information on the progress that has been made in achieving goals  
28 adopted by the board;

29 (5) Accredite, subject to such accreditation standards and  
30 procedures as may be established by the state board of education, all  
31 private schools that apply for accreditation, and approve, subject to  
32 the provisions of RCW 28A.195.010, private schools carrying out a  
33 program for any or all of the grades kindergarten through twelve:  
34 PROVIDED, That no private school may be approved that operates a  
35 kindergarten program only: PROVIDED FURTHER, That no private schools  
36 shall be placed upon the list of accredited schools so long as secret  
37 societies are knowingly allowed to exist among its students by school  
38 officials;

1 (6) Articulate with the institutions of higher education, workforce  
2 representatives, and early learning policymakers and providers to  
3 coordinate and unify the work of the public school system;

4 (7) Hire an executive director and an administrative assistant to  
5 reside in the office of the superintendent of public instruction for  
6 administrative purposes. Any other personnel of the board shall be  
7 appointed as provided by RCW 28A.300.020. The board may delegate to  
8 the executive director by resolution such duties as deemed necessary to  
9 efficiently carry on the business of the board including, but not  
10 limited to, the authority to employ necessary personnel and the  
11 authority to enter into, amend, and terminate contracts on behalf of  
12 the board. The executive director, administrative assistant, and all  
13 but one of the other personnel of the board are exempt from civil  
14 service, together with other staff as now or hereafter designated as  
15 exempt in accordance with chapter 41.06 RCW; and

16 (8) Adopt a seal that shall be kept in the office of the  
17 superintendent of public instruction.

18 **Sec. 49.** RCW 28A.325.010 and 1977 ex.s. c 170 s 1 are each amended  
19 to read as follows:

20 The board of directors of any common school district may establish  
21 and collect a fee from students and nonstudents as a condition to their  
22 attendance at any optional noncredit extracurricular event of the  
23 district which is of a cultural, social, recreational, or athletic  
24 nature: PROVIDED, That in so establishing such fee or fees, the  
25 district shall adopt regulations for waiving and reducing such fees in  
26 the cases of those (~~students~~) kids at hope whose families, by reason  
27 of their low income, would have difficulty in paying the entire amount  
28 of such fees and may likewise waive or reduce such fees for nonstudents  
29 of the age of sixty-five or over who, by reason of their low income,  
30 would have difficulty in paying the entire amount of such fees. An  
31 optional comprehensive fee may be established and collected for any  
32 combination or all of such events or, in the alternative, a fee may be  
33 established and collected as a condition to attendance at any single  
34 event. Fees collected pursuant to this section shall be deposited in  
35 the associated student body program fund of the school district, and  
36 may be expended to defray the costs of optional noncredit

1 extracurricular events of such a cultural, social, recreational, or  
2 athletic nature, or to otherwise support the activities and programs of  
3 associated student bodies.

4 **Sec. 50.** RCW 28A.400.350 and 2001 c 266 s 2 are each amended to  
5 read as follows:

6 (1) The board of directors of any of the state's school districts  
7 or educational service districts may make available liability, life,  
8 health, health care, accident, disability and salary protection or  
9 insurance or any one of, or a combination of the enumerated types of  
10 insurance, or any other type of insurance or protection, for the  
11 members of the boards of directors, the students, and employees of the  
12 school district or educational service district, and their dependents.  
13 Such coverage may be provided by contracts with private carriers, with  
14 the state health care authority after July 1, 1990, pursuant to the  
15 approval of the authority administrator, or through self-insurance or  
16 self-funding pursuant to chapter 48.62 RCW, or in any other manner  
17 authorized by law.

18 (2) Whenever funds are available for these purposes the board of  
19 directors of the school district or educational service district may  
20 contribute all or a part of the cost of such protection or insurance  
21 for the employees of their respective school districts or educational  
22 service districts and their dependents. The premiums on such liability  
23 insurance shall be borne by the school district or educational service  
24 district.

25 After October 1, 1990, school districts may not contribute to any  
26 employee protection or insurance other than liability insurance unless  
27 the district's employee benefit plan conforms to RCW 28A.400.275 and  
28 28A.400.280.

29 (3) For school board members, educational service district board  
30 members, and students, the premiums due on such protection or insurance  
31 shall be borne by the assenting school board member, educational  
32 service district board member, or student. The school district or  
33 educational service district may contribute all or part of the costs,  
34 including the premiums, of life, health, health care, accident or  
35 disability insurance which shall be offered to all students  
36 participating in interschool activities on the behalf of or as  
37 representative of their school, school district, or educational service

1 district. The school district board of directors and the educational  
2 service district board may require any student participating in  
3 extracurricular interschool activities to, as a condition of  
4 participation, document evidence of insurance or purchase insurance  
5 that will provide adequate coverage, as determined by the school  
6 district board of directors or the educational service district board,  
7 for medical expenses incurred as a result of injury sustained while  
8 participating in the extracurricular activity. In establishing such a  
9 requirement, the district shall adopt regulations for waiving or  
10 reducing the premiums of such coverage as may be offered through the  
11 school district or educational service district to students  
12 participating in extracurricular activities, for ~~((those))~~ kids at  
13 hope, who are students whose families, by reason of their low income,  
14 would have difficulty paying the entire amount of such insurance  
15 premiums. The district board shall adopt regulations for waiving or  
16 reducing the insurance coverage requirements for low-income students in  
17 order to assure such students are not prohibited from participating in  
18 extracurricular interschool activities.

19 (4) All contracts for insurance or protection written to take  
20 advantage of the provisions of this section shall provide that the  
21 beneficiaries of such contracts may utilize on an equal participation  
22 basis the services of those practitioners licensed pursuant to chapters  
23 18.22, 18.25, 18.53, 18.57, and 18.71 RCW.

24 **Sec. 51.** RCW 28A.655.090 and 2008 c 165 s 3 are each amended to  
25 read as follows:

26 (1) By September 10, 1998, and by September 10th each year  
27 thereafter, the superintendent of public instruction shall report to  
28 schools, school districts, and the legislature on the results of the  
29 Washington assessment of student learning and state-mandated norm-  
30 referenced standardized tests.

31 (2) The reports shall include the assessment results by school and  
32 school district, and include changes over time. For the Washington  
33 assessment of student learning, results shall be reported as follows:

34 (a) The percentage of students meeting the standards;

35 (b) The percentage of students performing at each level of the  
36 assessment;



1 (c) Disaggregation of results by at least the following subgroups  
2 of students: White, Black, Hispanic, American Indian/Alaskan Native,  
3 Asian, Pacific Islander/Hawaiian Native, kids at hope, who are kids  
4 from families with a low income, transitional bilingual, migrant,  
5 special education, and, beginning with the 2009-10 school year,  
6 students covered by section 504 of the federal rehabilitation act of  
7 1973, as amended (29 U.S.C. Sec. 794); and

8 (d) A learning improvement index that shows changes in student  
9 performance within the different levels of student learning reported on  
10 the Washington assessment of student learning.

11 (3) The reports shall contain data regarding the different  
12 characteristics of schools, such as poverty levels, percent of English  
13 as a second language students, dropout rates, attendance, percent of  
14 students in special education, and student mobility so that districts  
15 and schools can learn from the improvement efforts of other schools and  
16 districts with similar characteristics.

17 (4) The reports shall contain student scores on mandated tests by  
18 comparable Washington schools of similar characteristics.

19 (5) The reports shall contain information on public school choice  
20 options available to students, including vocational education.

21 (6) The reports shall be posted on the superintendent of public  
22 instruction's internet web site.

23 (7) To protect the privacy of students, the results of schools and  
24 districts that test fewer than ten students in a grade level shall not  
25 be reported. In addition, in order to ensure that results are reported  
26 accurately, the superintendent of public instruction shall maintain the  
27 confidentiality of statewide data files until the superintendent  
28 determines that the data are complete and accurate.

29 (8) The superintendent of public instruction shall monitor the  
30 percentage and number of special education and limited English-  
31 proficient students exempted from taking the assessments by schools and  
32 school districts to ensure the exemptions are in compliance with  
33 exemption guidelines.

34 **Sec. 52.** RCW 28A.700.005 and 2008 c 170 s 1 are each amended to  
35 read as follows:

36 (1) The legislature finds that many secondary career and technical  
37 education programs have made progress in retooling for the twenty-first

1 century by aligning with state and nationally certified programs that  
2 meet industry standards and by increasing the rigor of academic content  
3 in core skills such as reading, writing, mathematics, and science.

4 (2) However, the legislature also finds that increased expectations  
5 for students to meet the state's academic learning standards require  
6 students to take remedial courses. The state board of education is  
7 considering increasing credit requirements for high school graduation.  
8 Together these policies could restrict students from pursuing high  
9 quality career and technical education programs because students would  
10 not have adequate time in their schedules to enroll in a progressive  
11 sequence of career and technical courses.

12 (3) The legislature further finds that teachers, counselors,  
13 students, and parents are not well-informed about the opportunities  
14 presented by high quality career and technical education. Secondary  
15 career and technical education is not a stopping point but a beginning  
16 point for further education, including through a bachelor's degree.  
17 Secondary preapprenticeships and courses aligned to industry standards  
18 can lead directly to workforce entry as well as to additional  
19 education. Career and technical education is a proven strategy to  
20 engage and motivate students, including kids at hope, who are students  
21 at risk of dropping out of school entirely.

22 (4) Finally, the legislature finds that state policies have been  
23 piecemeal in support of career and technical education. Laws exist to  
24 require state approval of career and technical programs, but could be  
25 strengthened by requiring alignment with industry standards and  
26 focusing on high-demand fields. Tech prep consortia have developed  
27 articulation agreements for dual credit and smooth transitions between  
28 high schools and colleges, but agreements remain highly decentralized  
29 between individual faculty and individual schools. Laws require school  
30 districts to create equivalences between academic and career and  
31 technical courses, but more support and professional development is  
32 needed to expand these opportunities.

33 (5) Therefore it is the legislature's intent to identify the gaps  
34 in current laws and policies regarding secondary career and technical  
35 education and fill those gaps in a comprehensive fashion to create a  
36 coherent whole. This act seeks to increase the quality and rigor of  
37 secondary career and technical education, improve links to  
38 postsecondary education, encourage and facilitate academic instruction

1 through career and technical courses, and expand access to and  
2 awareness of the opportunities offered by high quality career and  
3 technical education.

4 **Sec. 53.** RCW 28A.700.090 and 2008 c 170 s 302 are each amended to  
5 read as follows:

6 (1) Subject to funds appropriated for this purpose, the office of  
7 the superintendent of public instruction shall provide grants to  
8 eligible students to offset the costs of required examination or  
9 testing fees associated with obtaining state or industry certification  
10 in the student's career and technical education program.

11 (2) The office shall establish maximum grant amounts and a process  
12 for students to apply for the grants.

13 (3) For the purposes of this section, "eligible student" means:

14 (a) A student enrolled in a secondary career and technical  
15 education program where state or industry certification can be obtained  
16 without additional postsecondary work or study; or

17 (b) A student who completed a secondary career and technical  
18 education program in a Washington public school and is seeking state or  
19 industry certification in a program requiring additional postsecondary  
20 work or study or where there are age limitations on certification.

21 (4) Eligible students must be kids at hope, which for the purposes  
22 of this section means the student must have a family income that is at  
23 or below two hundred percent of the federal poverty level using the  
24 most current guidelines available from the United States department of  
25 health and human services.

26 **Sec. 54.** RCW 43.310.005 and 1993 c 497 s 1 are each amended to  
27 read as follows:

28 The legislature finds and declares that:

29 (1) The number of youth who are members and associates of gangs and  
30 commit gang violence has significantly increased throughout the entire  
31 greater Puget Sound, Spokane, and other areas of the state;

32 (2) Youth gang violence has caused a tremendous strain on the  
33 progress of the communities impacted. The loss of life, property, and  
34 positive opportunity for growth caused by youth gang violence has  
35 reached intolerable levels. Increased youth gang activity has

1 seriously strained the budgets of many local jurisdictions, as well as  
2 threatened the ability of the educational system to educate our youth;

3 (3) Among youth gang members the high school drop-out rate is  
4 significantly higher than among nongang members. Since the economic  
5 future of our state depends on a highly educated and skilled workforce,  
6 this high school drop-out rate threatens the economic welfare of our  
7 future workforce, as well as the future economic growth of our state;

8 (4) The unemployment rate among youth gang members is higher than  
9 that among the general youth population. The unusual unemployment  
10 rate, lack of education and skills, and the increased criminal activity  
11 could significantly impact our future prison population;

12 (5) Most youth gangs are subcultural. This implies that gangs  
13 provide the nurturing, discipline, and guidance to gang youth and  
14 potential gang youth that is generally provided by communities and  
15 other social systems. The subcultural designation means that youth  
16 gang participation and violence can be effectively reduced in  
17 Washington communities and schools through the involvement of  
18 community, educational, criminal justice, and employment systems  
19 working in a unified manner with parents and individuals who have a  
20 firsthand knowledge of youth gangs and (~~at-risk youth~~) kids at hope;  
21 and

22 (6) A strong unified effort among parents and community,  
23 educational, criminal justice, and employment systems would facilitate:  
24 (a) The learning process; (b) the control and reduction of gang  
25 violence; (c) the prevention of youth joining negative gangs; and (d)  
26 the intervention into youth gangs.

27 **Sec. 55.** RCW 43.310.010 and 1993 c 497 s 3 are each amended to  
28 read as follows:

29 Unless the context otherwise requires, the (~~following~~)  
30 definitions (~~shall~~) in this section apply throughout RCW 43.310.005  
31 through 43.310.040 (~~and sections 5 and 7 through 10, chapter 497, Laws~~  
32 ~~of 1993~~)).

33 (1) "School" means any public school within a school district any  
34 portion of which is in a county with a population of over one hundred  
35 ninety thousand.

36 (2) "Community organization" means any organization recognized by

1 a city or county as such, as well as private, nonprofit organizations  
2 registered with the secretary of state.

3 (3) "Gang risk prevention and intervention pilot program" means a  
4 community-based positive prevention and intervention program for (~~gang~~  
5 ~~members, potential gang members, at-risk youth,~~) kids at hope and  
6 elementary through high school-aged youth directed at all of the  
7 following:

8 (a) Reducing the probability of youth involvement in gang  
9 activities and consequent violence.

10 (b) Establishing ties, at an early age, between youth and community  
11 organizations.

12 (c) Committing local business and community resources to positive  
13 programming for youth.

14 (d) Committing state resources to assist in creating the gang risk  
15 prevention and intervention pilot programs.

16 (4) "Kids at hope" means gang members, potential gang members, and  
17 at-risk youth.

18 (5) "Cultural awareness retreat" means a program that temporarily  
19 relocates at-risk youth or gang members and their parents from their  
20 usual social environment to a different social environment, with the  
21 specific purpose of having them performing activities which will  
22 enhance or increase their positive behavior and potential life  
23 successes.

24 NEW SECTION. Sec. 56. This act may be known and cited as the kids  
25 at hope act.

26 NEW SECTION. Sec. 57. Section 3 of this act expires September 1,  
27 2011.

28 NEW SECTION. Sec. 58. Section 4 of this act takes effect  
29 September 1, 2011.

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